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GOVERNMENTS**

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Ventura County: Judy Mikels, Ventura County • Glen Becerra, Simi Valley • Carl Morehouse, San Buenaventura • Toni Young, Port Hueneme

Orange County Transportation Authority: Lou Correa, County of Orange

Riverside County Transportation Commission: Robin Lowe, Hemet

Ventura County Transportation Commission: Keith Millhouse, Moorpark

MEETING OF THE

TRANSPORTATION & COMMUNICATIONS COMMITTEE

NOTE SPECIAL TIME

Thursday, April 7, 2005

10:30 a.m. – 11:00 a.m.

SCAG Offices

818 W. 7th Street, 12th Floor

San Bernardino Conference Room

Los Angeles, California 90017

213. 236.1800

VIDEO CONFERENCE LOCATION

SCAG, Riverside Office

3600 Lime Street, Suite 216

Riverside, CA 92501

951.784.1513

If members of the public wish to review the attachments or have any questions on any of the agenda items, please contact Cathy Alvarado at 213.236.1896 or alvarado@scag.ca.gov

Agendas and Minutes for the Transportation and Communications Committee are also available at:

www.scag.ca.gov/committees/tcc.htm

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TRANSPORTATION & COMMUNICATIONS COMMITTEE

AGENDA

	PAGE #	TIME
1.0 <u>CALL TO ORDER & PLEDGE OF ALLEGIANCE</u>	Councilmember Garcia, Chair	
2.0 <u>PUBLIC COMMENT PERIOD</u> Members of the public desiring to speak on an agenda item or items not on the agenda, but within the purview of this committee, must fill out a speaker's card prior to speaking and submit it to the Staff Assistant. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The Chair may limit the total time for comments to twenty (20) minutes. When you are called to speak, please come forward and state your name for the record.		
3.0 <u>REVIEW and PRIORITIZE AGENDA ITEMS</u>		
4.0 <u>CONSENT CALENDAR</u>		
4.1 <u>Approval Items</u>		
4.1.1 <u>Approve Minutes of March 3, 2005 Attachment</u>	1	
4.2 <u>Receive and File</u>		
4.2.1 <u>State and Federal Legislative Matrix Attachment</u>	11	
4.2.2 <u>SCAG Future Events Calendar Attachment</u>	31	

TRANSPORTATION & COMMUNICATIONS COMMITTEE

AGENDA

		PAGE #	TIME
5.0	<u>ACTION ITEMS</u>		
5.1	<u>Nomination of Regional Champion Award Recipient Attachment</u>	Councilmember Garcia, Chair	34 10 minutes
	<p>The Committee is asked to discuss and submit a nominee for the Regional Champion Award.</p> <p>Recommended Action: Recommend that the Regional Council approve selected nominee for the Regional Champion Award.</p>		
5.2	<u>GoCalifornia Legislative Package Attachment</u>	Charlotte Pienkos, SCAG Staff	36 5 minutes
	<p>GoCalifornia is Governor Schwarzenegger's three-bill legislative package on innovative financing and expedited project delivery.</p> <p>Recommended Action: Recommend that the Regional Council support position on AB 850, AB 1266, and SB 705 and a support in concept position in regard to the transportation provisions of ACA 4X.</p>		



TRANSPORTATION & COMMUNICATIONS COMMITTEE

AGENDA

		PAGE #	TIME
6.0	<u>INFORMATION ITEMS</u>		
6.1	<u>Overview of National Association of Regional Councils (NARC)</u> NARC staff will provide a general overview of NARC and an update on the TEA-21 Reauthorization Process.	Fred Abouseiman, NARC Transportation Director	10 minutes
7.0	<u>MAGLEV TASK FORCE REPORT</u>	Councilmember Lowe	
8.0	<u>CHAIR REPORT</u>	Councilmember Garcia, Chair	
9.0	<u>STAFF REPORT</u>	Rich Macias, SCAG Staff	
10.0	<u>GOODS MOVEMENT TASK FORCE REPORT</u>	Councilmember Brown	
11.0	<u>FUTURE AGENDA ITEMS</u> Any Committee members or staff desiring to place items on a future agenda may make such request. Comments should be limited to three minutes.		
12.0	<u>ANNOUNCEMENTS</u>		
13.0	<u>ADJOURNMENT</u> The next meeting of the Transportation and Communications Committee will be held on Thursday, May 5.		

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THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE TRANSPORTATION AND COMMUNICATIONS COMMITTEE. AN AUDIOCASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Transportation and Communications Committee held its meeting at SCAG Offices downtown Los Angeles. The meeting was called to order by the Honorable Lee Ann Garcia, Chair, City of Grand Terrace. There was a quorum.

Members Present

Adams, Steve	Riverside, WRCOG
Aldinger, Jim	City of Manhattan Beach
Baldwin, Harry	City of San Gabriel
Beauman, John	City of Brea
Becerra, Glen	City of Simi Valley
Bone, Lou	City of Tustin
Burke, Yvonne	City of Los Angeles
Dale, Lawrence	City of Barstow
Daniels, Gene	City of Paramount
Dixon, Richard	City of Lake Forest
Dunlap, Judy	City of Inglewood
Flickinger, Bonnie	City of Moreno Valley
Gabelich, Rae	City of Long Beach
Garcia, Lee Ann	City of Grand Terrace
Gurule, Frank	City of Cudahy
Hernandez, Robert	City of Anaheim
Herrera, Carol	SGVCOG
Lowenthal, Bonnie	City of Long Beach
Miller, Llewellyn	City of Claremont
Miller, Paul	VCOG
Millhouse, Keith	City of Moorpark
Pettis, Greg	Cathedral City
Ridgeway, Tod	City of Newport Beach
Roberts, Ron	City of Temecula
Rutherford, Mark	City of Westlake Village
Smith, Greig	City of Los Angeles
Stanford, Dick	City of Azusa
Szerlip, Don	City of Redondo Beach
Talbot, Paul	City of Alhambra
Tyler, Sidney	City of Pasadena
Uranga, Tonia Reyes	City of Long Beach

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Members Not Present

Brown, Art	City of Buena Park
Buckley, Tom	City of Lake Elsinore
Cervantes, Jesus	Commerce, Gateway Cities COG
Correa, Lou	Orange County
DeLara, Juan	City of Coachella
DeYoung, Cathryn	City of Laguna Niguel
Fasana, John	City of Duarte
George, Gary	City of Redlands
Hall, Isadore	City of Compton
Herzog, Peter	OCOG
Keenan, Tim	City of Cypress
Lowe, Robin	City of Hemet
Marshall, Patsy	City of Buena Park
Mikels, Judy	Ventura County
Nuaimi, Mark	City of Fontana
O'Connor, Pam	City of Santa Monica
Ovitt, Gary	San Bernardino County
Proo, Bea	Pico Rivera
Smyth, Cameron	City of Santa Clarita
Spence, David	City of La Canada
Stone, Jeff	County of Riverside

New Members

Wapner, Alan	City of Ontario
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Voting Members, Not Elected Official

Casey, Rose	Caltrans
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1.0 CALL TO ORDER & PLEDGE OF ALLIGANCE

Chair, Honorable Lee Ann Garcia, called the meeting to order at 10:30 a.m.

2.0 PUBLIC COMMENT PERIOD

Mr. Don Kornreich, citizen - Laguna Woods, came forward to urge the Committee to give serious consideration to Maglev. Mr. Kornreich passed out a new analysis of what Maglev can do not only to carry ridership, but also to carry Goods Movement up to the year 2055. Mr. Kornreich scenarios suggested that there might be a couple of ways in which we can raise the necessary funds to implement three hundred sixty route miles of Maglev by the year 2030, and an additional five hundred track miles by the year 2055. If this is accomplished it will do a lot to improve the economy, reduce air pollution, and reduce congestion on our freeways.

3.0 REVIEW and PRIORITIZE

No changes requested.

4.0 CONSENT CALENDAR

4.1 Approval Item

4.1.1 Approve Minutes of February 3, 2005

4.2 Receive and File

4.2.1 State and Federal Legislative Matrix

4.2.2 SCAG Future Events Calendar

4.2.3 State Budget Update

4.2.4 Southern California Consensus Program

4.2.5 I-710 (Ocean Boulevard to SR-60) Letter of Completion

MOTION was made to pull item 4.2.2, for discussion.

There was a correction on the minutes to show Paul Miller representing VCOG as opposed to the City of Simi Valley.

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Item 4.2.2., Consent Calendar, was questioned as to whether the Maglev Task Force meeting was being moved to the second Thursday of the month. Zahi Faranesh, SCAG Staff, responded that it was not decided yet.

It was noted that the Southwest Compact Task Force was not listed on the Future Events Calendar and needed to be added.

MOTION was made to APPROVE the balance of the Consent Calendar items, MOTION was AMENDED and SECONDED. There was one ABSTENTION, Councilmember Robert Hernandez, City of Anaheim.

5.0 ACTION ITEMS

5.1 Preliminary Schedule for the next RTP Update

Naresh Amatya, SCAG Staff, presented a brief update on the preliminary schedule for the next RTP update. He stated that last month he reported to the Committee that there were a number of fiscal issues that could potentially require an amendment or an early update of the 2004 RTP. Specifically, that the revenue forecast in the 2004 RTP contains fairly optimistic assumptions related to Proposition 42. In addition, it also contains approximately four billion dollars in revenue from the additional half-cent sales tax in Los Angeles County. Added to that, the Centerline extension issues in Orange County was not part of the plan.

The issue for SCAG is that the RTP is required to be a fiscally constrained plan. Given all the potential deviations, can we continue to claim that RTP is a fiscally constrained document? The full impact of the State Budget will not be known until the State adopts their fund estimates for the next round of State Transportation Improvement Program, STIP, which is likely to happen in August. At the same time, Orange County is just beginning to assess and evaluate their Measure M Extension Program. It appears that all of these issues are going to play out over the course of the next eight to ten months. Deciding to do an amendment at that point could be too late from the physical time requirements of accomplishing an amendment. Staff is proposing a flexible schedule that would accommodate an amendment if we needed to do one. The window of opportunity to do this would be in November of this year once we know what the State Budget impact is and also know the conclusions on some of the other issues I spoke about.

To continue with the update we will also need the input from the stakeholders on the projects and also on their finance plans if we are to accommodate the amendment or an early update. If we do not receive this input by November, it will be extremely

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difficult for Staff to actually be able to accomplish an amendment that is acceptable to the stakeholders, as well as the approving agency.

The proposed schedule for the RTP Update calls for completing basic foundational work such as reviewing and updating goals, policies, performance measures, plan assumptions, basic baseline growth, as well as baseline revenue forecast by the end of summer. The most critical tasks of updating a plan is developing the alternative and evaluating those alternatives. These tasks would need to be completed between January and April of 2006. However, if the amendment becomes irrelevant or unnecessary then we will have an additional four to six months to refine the plan.

The updated schedule was discussed at the last Technical Advisory Committee, TAC, meeting in February. The TAC continued to raise a number of concerns. Their key concern is that some of the members are not convinced that an amendment is actually needed at this point. Several members questioned the dis-benefit of doing an early amendment as opposed to the benefit of doing one. Their concern is we are currently having a tough enough time accomplishing the update in the three-year process thus it will be even more challenging to reach a consensus that everyone can agree on in the shortened time frame. TAC was also concerned that we may not be able to utilize the best and most current data and tools available. Particularly, TAC's concern is that an earlier update may not be able to take advantage of the modeling improvements that SCAG is pursuing.

In response to a lingering perception that OCTA is pushing the plan amendment process, OCTA, Staff, and the TAC made it clear that OCTA is not doing so. OCTA felt that they could not accomplish what they need to accomplish on both the Centerline project as well as the Measure M Extension within the frame work of the three year process. Concerns were also raised relative to what happens if we amend the plan and Measure M does not pass. Do we again amend the plan at that point? All the concerns TAC has are obviously valid, but it is the Staff's position that it is premature to preclude a potential amendment at this point.

Mr. Amatya closed his presentation by stating Staff is proposing that the Committee approve this schedule that allows for an amendment if needed.

Members of the TCC asked whether SCAG would be doing an update or amendment, and staff indicated that adoption of the accelerated schedule would put SCAG in a position to produce either an RTP update or an amendment, and that this decision would be made in November. The committee also asked whether or not new projects (i.e. 710) would be included in any RTP update or amendment. Staff indicated that if an update or amendment were done, there would be an opportunity to submit projects for inclusion in the RTP.

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Rich Macias, SCAG Staff, then interjected on behalf of Staff that it was not proposing an amendment, it was proposing an accelerated schedule so Staff can come forward at some point and say these are the indicators that tell us we need to update the plan in its entirety. Or, we amend the plan for this reason. What Staff is asking currently is that the Committee consider and approve the schedule that accelerates the process.

MOTION was made to approve Staff recommendation to move forward with the proposed schedule for the next RTP Update. MOTION was SECONDED, and UNANIMOUSLY APPROVED.

5.2 Approve the Southern California Regional ITS Architecture

Bob Huddy, SCAG Staff, gave a brief presentation on the FHWA Rule and FTA Policy, 23 CFR 940.9 and 940.11, which requires that a region that is currently implementing ITS projects must develop a regional ITS architecture to guide their deployment by April 8, 2005. The National ITS Architecture will be used as a resource in developing the regional architecture. The regional ITS architecture shall be on a scale commensurate with ITS investment in the region. The regional architecture will contain: description of the region, identification of the participating agencies and stakeholders, an operational concept that identifies roles and responsibilities of stakeholders, any agreements required for operations, system functional requirements (high level), interface requirements and information exchanges with planned and existing systems and subsystems, identification of ITS standards supporting regional and national interoperability, and sequence of projects required for implementation

The Rule requires that all ITS projects and projects with ITS elements funded through the federal transportation trust funds are consistent with the regional architecture in order to be eligible for the use of those funds.

SCAG will complete the required eight points for the Southern California Regional ITS Architecture through the effort described above by the April 8, 2005 deadline and asks that upon completion, that the regional architecture be accepted in compliance with the Regulation.

MOTION was made to APPROVE the Southern California Regional ITS Architecture. MOTION was SECONDED and UNANIMOUSLY APPROVED.

6.0 INFORMATION ITEMS

6.1 Goods Movement Executive Stakeholder Roundtable Recap

Nancy Pfeffer, SCAG Staff, gave a brief recap of the Executive Stakeholder Roundtable hosted at SCAG on February 7, 2005. It was well attended there was representation from the private sector from the railroads, truckers, shippers, ports, as well as transportation and air quality agencies.

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The meeting started with a presentation by Gill Hicks, Gill V. Hicks & Associates, who talked about the factors that are contributing to growth of the region. John Husing, economist, discussed the economic role of the logistics industry. George Fetty, SCAG rail consultant, talked about trends in inter-modal transportation. I spoke briefly about the Regional 2005 Consensus Program, in particular I was emphasizing the request for federal support and federal legislation to let us do innovative project financing and project procurement methods.

We had a fairly extensive presentation from SCAG consultant Rob Leachman, who is working on a port and modal elasticity study. This study is evaluating the potential application points for private fees that could help to raise revenues to fund infrastructure.

We also heard from private sector representatives. The railroads talked about voluntary efforts they have right now to reduce emissions. The Long Shore Workers Union spoke about adding new labor to get over this year's peak season. The California Trucking Association spoke and confirmed that congestion is becoming a big issue and they need more trucks to get the same amount of cargo moved these days because efficiency is down.

Following the presentations there was a two-hour session of Roundtable discussion. There was a consensus on a few key points. One of which was doing nothing is not an acceptable option. Another is that we need to work together and have a single forum to work together, which is the purpose of the Roundtable. Probably the most critical point was that the attendees agreed that public money is not going to be enough to meet the needs that we have in the Region, we need to get private money to the table.

6.2 SCAG Goods Movement Program Update

Nancy Pfeffer, SCAG Staff, gave the Committee an update on the SCAG Goods Movement program.

Following California Governor Arnold Schwarzenegger's visit to Japan last fall, BT&H Secretary Sunne McPeak asked SCAG and others in Southern California to develop a policy paper conveying the region's needs with respect to goods movement. SCAG staff has been collaborating with numerous other stakeholders since mid-November to develop a consensus on this paper, which had previously been presented to this Committee.

In summary, the final paper describes the current situation facing the region: growing demand for goods movement, limits on current infrastructure, lack of funds to pay for new infrastructure, and community concerns about health and environmental impacts.

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The paper describes the current regional goods movement system, the specific improvement needs as they are now understood (which total over \$26 billion), and the potential financial mechanisms to pay for them. It concludes with a section detailing the short-term changes already under way to improve goods movement, the environmental mitigations being pursued and the long-term physical infrastructure projects now planned.

The paper went to Washington, D.C., with our delegation that went there the week of February 14. It has also been given to the Governor's Staff for their use in developing a statewide Goods Movement strategy.

Ms. Pfeffer went on state that community groups are very concerned, they are actually critical of the process at the state level. They say it is moving too fast for meaningful public input and participation. There was a recent town meeting on Goods Movement in the ports convened by Southern California Health Science's Center which is a partnership of USC/UCLA scientists funded by the Federal Government. It was a two-day meeting with about three hundred fifty people in attendance. Two-thirds of the attendees were community representatives. Two key points came out of the meeting, one is that scientific research is now showing a clear association between exposure to diesel particulate matter and public health effects. The other point is it appears to be these ultra fine particles, PM .1 and smaller, are primarily responsible for these health effects. In terms of the environmental concerns, it was very clear that these community groups are organizing in opposition to capacity increases and infrastructure projects in general unless priority is given to reducing emissions. Economic benefits, like jobs and local development, are not sufficient to warrant continuing public health impacts, that where the community is at.

Staff is developing a work plan to take it through next year by developing a model of the process for bringing projects forward to bring Goods Movement projects to fruition. Staff is also looking at developing the performance measures that were articulated by the private sector. Staff anticipates this full evaluation will take about a year and hopes to reconvene the stakeholders that were at this Roundtable meeting and to involve the Committee as well in this process.

Rich Macias, SCAG staff, stated that the process is in its infant stages. The Governor will move this forward but it will be on the basis of what we finally decide will be the program. We have identified at this point what needs to be done. We now have to fine-tune everything including an environmental program that will encompass the processing or environmental documentation, the development of large-scale mitigation programs, etc., none of which can be done without community input. The communities will form the basis of the approval process. As we progress, we will start establishing outreach programs, environmental review processes, all of which will entail involvement of this committee, Regional Council, and your individual

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communities. That process will also be combined with the RTP efforts as we go forward.

6.3 Measures to Reduce Truck Traffic at the San Pedro Bay Ports

Mr. Gill Hicks, Transportation Consultant, gave a presentation on the potential impacts of port truck trip reduction strategies, which was conducted on behalf of the Ports of Los Angeles and Long Beach, and the Alameda Corridor Transportation Authority.

Mr. Hicks stated that in conducting this analysis, he evaluated five strategies: extended gate hours, the increased use of on-dock rail, a virtual container yard, local shuttle trains, and a new near dock inter-modal facility. The impacts of these strategies have been measured according to the following criteria: impact on weekday port truck trips and weekday port truck miles of travel. In addition, a combination of all of the above strategies was evaluated for the years 2010 and 2030. If we do not implement any of these strategies we could have about a tripling of truck traffic, by combining these strategies we can limit that to doubling.

The discussion resulted in a request made by Councilmember Tonia Reyes Urganda, Long Beach, who requested that Staff agendize for TCC a discussion of Goods Movement and community concerns about continued growth in the ports.

6.4 The Shanghai Maglev Experience

This item was not presented due to lack of time.

7.0 MAGLEV TASK FORCE REPORT

None at this time.

8.0 CHAIR REPORT

Chair Garcia announced that SCAG's 40th Anniversary Celebration and General Assembly will be May 4 and 5, 2005. We are looking for sponsors and would like to encourage you to help come up with sponsors for the 40th Anniversary. See Councilmember Glen Becerra if you want to help in this endeavor. Also, the Regional Champion Award is coming up and each of the policy committees can do an award. The award recognized Leadership and Regionalism related to specific areas of SCAG's work.

9.0 STAFF REPORT

None at this time

10.0 GOODS MOVEMENT TASK FORCE REPORT

None at this time.

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11.0 FUTURE AGENDA ITEMS

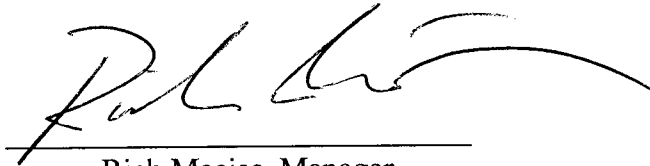
None at this time.

12.0 ANNOUNCEMENTS

None at this time.

13.0 ADJOURNMENT

The Honorable Lee Ann Garcia, Chair, adjourned the meeting at 12:17 p.m.
The next committee meeting will be held on
April 7, 2005, 10:30 a.m., at the SCAG Office.



Rich Macias, Manager
Transportation Planning/Programming Division

MEMO

DATE: March 3, 2005

TO: The Regional Council
The Community Economic and Human Development Committee
The Energy and Environment Committee
The Transportation and Communications Committee (TCC)

FROM: Charlotte Pienkos, Government Affairs Analyst
Phone: (213) 236-1811 E-Mail: pienkos@scag.ca.gov

SUBJECT: State and Federal Legislative Matrix

Since the March 3rd meetings of the Regional Council and the policy committees, the State Legislature has settled into a period of slow, steady progress. With the majority of bills being introduced just prior to the February 23rd deadline, many bills remain in the constitutionally mandated 30-day quiet period in which no action may be taken. Consequently, policy committee hearings will speed up the first week of April when the Legislature reconvenes after Spring Recess. Policy committees must report non-fiscal bills introduced in their house by May 6th. The Fiscal committees must report bills from their house by May 27th. Another date of interest in May: the 9th, when the Governor is expected to release his Mid-Year Budget Revision.

As of this writing on March 17th, SCAG is monitoring 258 state and federal bills. Of those generating the most interest are the Governor's GoCalifornia bills, which will be heard in the TCC, and the State Senate Sprawl package, which will be presented to the CEHD as an information item. Also noteworthy is Senator Alan Lowenthal's suite of bills regarding air quality and the Ports of Long Beach and Los Angeles. SB 760 (Lowenthal) would charge terminal operators \$30 for each container passing through the ports, with proceeds used for security improvements and congestion air quality mitigation measures. At the federal level, the passage of TEA-LU occurred on March 10th. The Senate will take up SAFETEA in April.



Private file: Transit

CA AB 948 **AUTHOR:** Oropeza (D)
TITLE: Design-Build and Transit Operators
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
 Specifies that a transit operator is required to establish a labor compliance program only for a design-build contract and only if the transit operator does not already have a labor compliance program. Changes the prohibition regarding design-build rail projects to instead prohibit a transit operator from utilizing the design-build method of procurement for a capital maintenance or capacity-enhancing rail project, unless that project costs more than \$3,000,000.
STATUS:
 02/18/2005 INTRODUCED.
Subject: Transit, Transport

CA AB 1649 **AUTHOR:** Liu (D)
TITLE: Metro Foothills Gold Line Construction Authority
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
 Changes the name of the construction authority to the Metro Foothills Gold Line Construction Authority and revises the composition of its governing board's membership. Specifies a schedule for construction of the light rail project and requires the Los Angeles County Metropolitan Transportation Authority to submit a financial plan to the Legislature for this construction.
STATUS:
 02/22/2005 INTRODUCED.
Subject: Transit

US H 52 **SPONSOR:** Capito (R)
TITLE: Rail and Mass Transportation
INTRODUCED: 01/04/2005
DISPOSITION: Pending
LOCATION: House Judiciary Committee
SUMMARY:
 Amends title 18, United States Code, to further protect rail and mass transportation, and for other purposes.
STATUS:
 01/04/2005 INTRODUCED.
 01/04/2005 To HOUSE Committee on JUDICIARY.

Private file: Transportation

CA AB 53 **AUTHOR:** Negrete McLeod (D)
TITLE: State Agency Consolidation
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 12/06/2004
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:
 Declares the Legislature's intent to build upon efforts to eliminate governmental waste and inefficiency, consolidate 5 separate state agencies into a single entity with specified responsibilities, create an Office of Management and Budget with responsibility for the state's fiscal affairs, personnel management, and procurement systems, and consolidate the Teale Data Center and the Health and Human Service Data Center.
STATUS:
 12/06/2004 INTRODUCED.
COMMENTARY:
 Relates to CPR
Subject: Transport

CA AB 189	AUTHOR: Horton S (R) TITLE: HOT Lanes: Demonstration Projects FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 01/26/2005 DISPOSITION: Pending COMMITTEE: Assembly Transportation Committee HEARING: 04/04/2005 1:30 pm SUMMARY: Relates to existing law which authorizes the San Diego Association of Governments (SANDAG) to conduct, administer, and operate a value pricing and transit development program on transportation corridors in San Diego County, under which single-occupant vehicles may use a designated HOV lane at certain times of day upon obtaining a permit and paying a fee, otherwise known as a "high-occupancy toll (HOT) lane." Expands the number of authorized SANDAG HOT lane demonstration projects from 2 to 3. STATUS: 01/31/2005 To ASSEMBLY Committee on TRANSPORTATION. Subject: Revenue/Bond, Transport
CA AB 209	AUTHOR: Plescia (R) TITLE: Transportation Systems: Alternative Financing Methods INTRODUCED: 01/31/2005 DISPOSITION: Pending LOCATION: ASSEMBLY SUMMARY: Makes nonsubstantive changes to findings under the the San Diego County Regional Transportation Commission Act. STATUS: 01/31/2005 INTRODUCED. Subject: Revenue/Bond, Transport
CA AB 245	AUTHOR: Walters (R) TITLE: County Design-Build Contracts FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/07/2005 DISPOSITION: Pending LOCATION: Assembly Local Government Committee SUMMARY: Authorizes Orange County, until December 1, 2008, to enter into design-build contracts. STATUS: 02/15/2005 To ASSEMBLY Committee on LOCAL GOVERNMENT. Subject: LocGov, Transport
CA AB 267	AUTHOR: Daucher (R) TITLE: Transportation Projects FISCAL COMMITTEE: yes URGENCY CLAUSE: no INTRODUCED: 02/08/2005 LAST AMEND: 03/14/2005 DISPOSITION: Pending COMMITTEE: Assembly Transportation Committee HEARING: 04/04/2005 1:30 pm SUMMARY: Amends existing law which authorizes a regional or local entity that is the sponsor of, or is eligible to receive funding for, a project contained in the state transportation improvement program to expend its own funds for any component of a project within its jurisdiction that is included in an adopted state transportation improvement program, and for which the commission has not made an allocation. Limits these provisions to projects advanced for expenditure that are programmed in the current fiscal year. STATUS: 03/14/2005 From ASSEMBLY Committee on TRANSPORTATION with author's amendments. 03/14/2005 In ASSEMBLY, read second time and amended. Re-referred to

	Subject:	Committee on TRANSPORTATION. Revenue/Bond, Transport
CA AB 426	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Bogh (R) HOV Lanes yes no 02/15/2005 Pending Assembly Transportation Committee Requires the Department of Transportation and local agencies to convert all high-occupancy vehicle (HOV) lanes that currently operate on a 24-hour basis into part-time HOV lanes that operate as mixed-flow lanes except during peak periods, subject to any required approvals of the federal government.
	STATUS: 02/24/2005 Subject:	To ASSEMBLY Committee on TRANSPORTATION. Transport
CA AB 453	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Benoit (R) Grade Separation Projects yes no 02/15/2005 Pending Assembly Transportation Committee Requires a railroad to agree to contribute 5% of the cost of a project in order for grade separation allocations to be made.
	STATUS: 02/24/2005 Subject:	To ASSEMBLY Committee on TRANSPORTATION. Transport
CA AB 489	AUTHOR: TITLE: INTRODUCED: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Bermudez (D) Ports: Transportation Network 02/16/2005 Pending Assembly Transportation Committee 04/04/2005 1:30 pm Requires the Port of Los Angeles and the Port of Long Beach to provide reports relative to utilization of and congestion at ports annually through 2008.
	STATUS: 02/24/2005 Subject:	To ASSEMBLY Committee on TRANSPORTATION. Transport
CA AB 508	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Richman (R) Department of Transportation: Design-Build Contracting 02/16/2005 Pending Assembly Transportation Committee Authorizes the Department of Transportation to use the design-build procurement process for its state highway construction contracts.
	STATUS: 03/03/2005 Subject:	To ASSEMBLY Committee on TRANSPORTATION. Transport
CA AB 509	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Richman (R) Regional Transportation Agencies 02/16/2005 Pending Assembly Transportation Committee Authorizes regional transportation agencies to enter into agreements to finance regional user-fee

based transportation projects.

STATUS:

02/28/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Transport

CA AB 540

AUTHOR:

Liu (D)

TITLE:

State Highway Projects

INTRODUCED:

02/16/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/04/2005 1:30 pm

SUMMARY:

Requires the Department of Transportation, prior to finalizing design and commencing construction on a state highway project, including a project not requiring preparation of full-scale environmental documents, to first meet and confer with the governing body of the affected city or county, and to thereafter hold at least one public meeting at a time and place that is convenient for the community.

STATUS:

02/28/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Transport

CA AB 556

AUTHOR:

Gordon (D)

TITLE:

Airports: Noise Impacts

INTRODUCED:

02/16/2005

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Authorizes a proprietor of an airport having a noise impact area to request a variance from noise standards for a period not exceeding 3 years, in accordance with prescribed procedures. Prohibits an airport proprietor from operating an airport with a noise impact area unless the operator has applied for and received a variance.

STATUS:

02/28/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Transport

CA AB 697

AUTHOR:

Oropeza (D)

TITLE:

Highway Users Tax Account: Appropriation of Funds

INTRODUCED:

02/17/2005

DISPOSITION:

Pending

COMMITTEE:

Assembly Transportation Committee

HEARING:

04/04/2005 1:30 pm

SUMMARY:

Provides that all moneys in the Highway Users Tax Account in the Transportation Tax Fund from the prior fiscal year are on continuously appropriated and may be encumbered for certain purposes until the Budget Act is Enacted.

STATUS:

03/07/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Revenue/Bond, Transport

CA AB 714

AUTHOR:

Torrico (D)

TITLE:

High-Speed Passenger Trains

INTRODUCED:

02/17/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Expresses the Legislature's intent to enact legislation to develop a partnership between public and private entities to promote the construction and operation of a high-speed passenger train system in this state.

STATUS:

02/17/2005

INTRODUCED.

Subject:

Transit, Transport

CA AB 850

AUTHOR:

Canciamilla (D)

TITLE:

Toll Road Agreements

FISCAL COMMITTEE:

yes

URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY:

Relates to the Department of Transportation. Authorizes the department to enter into comprehensive development franchise agreements with public and private entities or consortia for specified types of transportation projects. Authorizes tolls to be collected after the termination of a franchise agreement period.

STATUS:
 03/03/2005 To ASSEMBLY Committee on TRANSPORTATION.
Subject: Transport

CA AB 969

AUTHOR: Karnette (D)
TITLE: Business, Transportation and Housing Agency: Planning
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY:

Requires the Secretary of the Business, Transportation and Housing Agency to develop a strategy to accomplish specified transportation objectives.

STATUS:
 03/07/2005 To ASSEMBLY Committee on TRANSPORTATION.
Subject: Transport

CA AB 1020

AUTHOR: Hancock (D)
TITLE: Planning: Smart Growth Models
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Requires certain federally-designated metropolitan planning organizations and certain state-designated regional transportation planning agencies to develop and implement improved regional travel models incorporating smart growth concepts and to undertake other related planning activities. Requires all transportation models used by state or regional agencies to be usable on personal computers and to be made available to the public.

STATUS:
 02/22/2005 INTRODUCED.
Subject: Transport

CA AB 1157

AUTHOR: Frommer (D)
TITLE: Transportation Funding: Capital Improvement Project
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY:

Authorization interregional Transportation improvement funds to be used for state highway projects that are outside the boundaries of an urbanized area with a population of more than 60,000.

STATUS:
 03/10/2005 To ASSEMBLY Committee on TRANSPORTATION.
Subject: Transport

CA AB 1197

AUTHOR: Gordon (D)
TITLE: Aviation: Southern California Regional Aviation
INTRODUCED: 02/22/2005
DISPOSITION: Pending
LOCATION: Assembly Transportation Committee
SUMMARY:

Establishes the Southern California Regional Aviation Commission to facilitate the regional distribution of aviation services to existing airports throughout southern California.

STATUS:

03/10/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Transport

CA AB 1266

AUTHOR:

Niello (R)

TITLE:

State Highways: Design-Sequencing Contracts

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Authorizes the Department of Transportation to award contracts for projects using the design-sequencing contract method, if certain requirements are met.

STATUS:

03/10/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Transport

CA AB 1276

AUTHOR:

Oropeza (D)

TITLE:

Intermodal Corridors of Economic Significance

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Requires the Department of Transportation, in cooperation with regional transportation planning agencies, to establish a task force for the purposes of developing a strategy for avoiding congestion along the state's intermodal corridors of economic significance, and to develop and apply freight oriented performance measures on those corridors.

STATUS:

03/10/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Transport

CA AB 1277

AUTHOR:

Evans (D)

TITLE:

Highway Users Tax Account: State Highway Account

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Provides that all moneys in the Highway Users Tax Account in the Transportation Tax Fund and in the State Highway Account in the State Transportation Fund are continuously appropriated and may be encumbered in any year in which a Budget Act has not been enacted by July 1 for the fiscal year beginning on July 1.

STATUS:

03/10/2005

To ASSEMBLY Committee on TRANSPORTATION.

Subject:

Revenue/Bond, Transport

CA AB 1406

AUTHOR:

Karnette (D)

TITLE:

Ports and Harbors: Freight Security Fee

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Imposes a fee of \$10 per intermodal freight container on every freight container processed through a port or harbor in the state. Relates to the office of Homeland Security. Relates to state bonds.

STATUS:

02/22/2005

INTRODUCED.

Subject:

Revenue/Bond, Transport

CA AB 1552

AUTHOR:

La Suer (R)

TITLE:

San Diego Consolidated Transportation Agency

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

Assembly Transportation Committee

SUMMARY:

Amends existing law that establishes the San Diego Consolidated Transportation Agency and provides that it is the designated transportation agency for its area. Revises the membership of

the agency.

STATUS:

03/14/2005

To ASSEMBLY Committees on TRANSPORTATION and LOCAL GOVERNMENT.

Subject:

Transport

CA AB 1699

AUTHOR:

Frommer (D)

TITLE:

Highway Construction Contracts:Design Build Projects

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

States the intent of the Legislature to authorize certain transportation authorities to use a design-build process for bidding on one highway construction project within the jurisdiction of the applicable transportation authority.

STATUS:

02/22/2005

INTRODUCED.

Subject:

Transport

CA AB 1714

AUTHOR:

Plescia (R)

TITLE:

Bay Area State-Owned Toll Bridges: Financing

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Revises the estimated cost of the state-owned toll bridge seismic retrofit and replacement program to a certain amount including a certain amount of funds for the replacement of the east span of the San Francisco/Oakland Bay Bridge and revised amounts for certain other toll bridges. Identifies in additional state funds from various sources to fund the demolition costs of the replaced span of the San Francisco/Oakland Bay Bridge.

STATUS:

02/22/2005

INTRODUCED.

Subject:

Revenue/Bond, Transport

CA ACA 4

AUTHOR:

Plescia (R)

TITLE:

Transportation Investment Fund

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

12/06/2004

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Proposes an amendment to the Constitution that relates to existing law which requires that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund. Deletes the provision authorizing the Governor and the Legislature to suspend the transfer of revenues from the General Fund to the Transportation Investment Fund for a fiscal year during a fiscal emergency.

STATUS:

12/06/2004

INTRODUCED.

Subject:

Revenue/Bond, Transport

CA ACA 7

AUTHOR:

Nation (D)

TITLE:

Local Governmental Taxation

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

12/06/2004

DISPOSITION:

Pending

LOCATION:

ASSEMBLY

SUMMARY:

Proposes a Constitutional Amendment to change the 2/3 voter-approval requirement for special taxes to instead authorize a city, county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax. Makes technical nonsubstantive changes to these provisions.

STATUS:

12/06/2004

INTRODUCED.

	Position:	CSAC-Sup
	Subject:	Revenue/Bond, Transport
CA ACA 9	AUTHOR:	Bogh (R)
	TITLE:	Motor Vehicle Fuel Sales Tax Revenue
	INTRODUCED:	01/24/2005
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Changes the vote requirement to 4/5 of the membership of each house of the Legislature in order to enact a statute suspending in whole or in part the transfer of motor vehicle fuel sales tax revenue from the General Fund to the Transportation Investment Fund.
	STATUS:	
	01/24/2005	INTRODUCED.
	Subject:	Revenue/Bond, Transport
CA ACA 10	AUTHOR:	Nunez (D)
	TITLE:	Transportation Investment Fund
	FISCAL COMMITTEE:	no
	URGENCY CLAUSE:	no
	INTRODUCED:	02/15/2005
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Proposes a Constitutional amendment that makes a nonsubstantive change to provisions that require sales taxes on motor vehicle fuel that are deposited in the General Fund to be transferred to the Transportation Investment Fund for allocation to various transportation purposes and authorizes the transfer of such revenues to the Transportation Investment Fund to be suspended during a fiscal emergency.
	STATUS:	
	02/15/2005	INTRODUCED.
	Subject:	Revenue/Bond, Transport
CA ACA 11	AUTHOR:	Oropeza (D)
	TITLE:	Transportation Funds: Loans
	INTRODUCED:	02/16/2005
	DISPOSITION:	Pending
	LOCATION:	ASSEMBLY
	SUMMARY:	Proposes a constitutional amendment that requires interest to be paid on a loan of revenues subject to either Article XIX or XIX A if the loan is not repaid during the same fiscal year in which it was made. Deletes the provisions authorizing the transfer of revenues from the General Fund to the Transportation Investment Fund to be suspended. Authorizes the Legislature to loan funds in the Transportation Investment Fund to the General Fund or any other state fund or account.
	STATUS:	
	02/16/2005	INTRODUCED.
	Subject:	Revenue/Bond, Transport
CA ACR 23	AUTHOR:	Garcia (R)
	TITLE:	Intrastate Trucking: Traffic Congestion
	INTRODUCED:	02/22/2005
	DISPOSITION:	Pending
	COMMITTEE:	Assembly Transportation Committee
	HEARING:	04/04/2005 1:30 pm
	SUMMARY:	Urges the Department of Transportation to examine the flow of traffic to develop commercial trucking routes that would provide for the most direct movement through a city in order to reduce the time that trucks are in city limits and the level of pollution that is created.
	STATUS:	
	03/03/2005	To ASSEMBLY Committee on TRANSPORTATION.
	Subject:	AirQuality, Transport
CA SB 32	AUTHOR:	Alarcon (D)
	TITLE:	Los Angeles County Regional Airport Authority
	FISCAL COMMITTEE:	no

URGENCY CLAUSE: no
INTRODUCED: 12/09/2004
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Declares the intent of the Legislature to establish the Los Angeles County Regional Airport Authority.

STATUS:
 01/27/2005 To SENATE Committee on RULES.
Subject: Transport

CA SB 45

AUTHOR: Alarcon (D)
TITLE: Intermodal Marine Terminals
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/05/2005
DISPOSITION: Pending
LOCATION: Senate Transportation and Housing Committee
SUMMARY:

Prohibits an intermodal marine equipment provider or marine terminal operator from imposing per diem or detention charges, or demurrage charges, on an intermodal motor carrier relative to transactions involving cargo shipped by intermodal transport under certain circumstances.

STATUS:
 01/27/2005 To SENATE Committee on TRANSPORTATION AND HOUSING.
Subject: Transport

CA SB 53

AUTHOR: Kehoe (D)
TITLE: San Diego County Regional Airport Authority
INTRODUCED: 01/10/2005
DISPOSITION: Pending
LOCATION: ASSEMBLY
SUMMARY:

Repeals obsolete provisions pertaining to the interim San Diego County Regional Airport Authority board. Makes a technical corrective change. Amends the San Diego County Regional Airport Act to explicitly restate the applicability of the Ralph M. Brown Act to the Authority.

STATUS:
 02/22/2005 In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.
Subject: Transport

CA SB 98

AUTHOR: Murray (D)
TITLE: Department of Transportation
INTRODUCED: 01/14/2005
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Relates to the Department of Transportation responsibility for improving and maintaining the state highways. Makes a nonsubstantive change to that provision.

STATUS:
 01/27/2005 To SENATE Committee on RULES.
Subject: Transport

CA SB 110

AUTHOR: Florez (D)
TITLE: Fresno County Transportation Authority
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 01/24/2005
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 04/05/2005 1:30 pm
SUMMARY:

Amends the Fresno Transportation Improvements Act which establishes Fresno County Transportation Authority, which is authorized to impose a sales tax for transportation purposes, subject to voter approval. Requires the language presented to the voters to include the nature of the tax to be imposed, the tax rate or maximum tax rate, the period during which the tax will be imposed, and the purposes for which the revenue from the tax will be used.

STATUS: 02/10/2005		To SENATE Committees on TRANSPORTATION AND HOUSING and REVENUE AND TAXATION.
Subject:		Revenue/Bond, Transport
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CA SB 172	AUTHOR:	Torlakson (D)
	TITLE:	Seismic Retrofit Projects
	FISCAL COMMITTEE:	yes
	URGENCY CLAUSE:	no
	INTRODUCED:	02/09/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Transportation and Housing Committee
	HEARING:	04/05/2005 1:30 pm
	SUMMARY:	Relates to seismic retrofit of state-owned toll bridges. Requires that seismic retrofit reports be submitted within 45 days after the end of each quarter and include a summary to the budget status for support and capital outlay construction costs. Requires the Department of Transportation to take specified actions to manage the risks associated with the projects.
	STATUS: 02/24/2005	To SENATE Committee on TRANSPORTATION AND HOUSING.
	Subject:	Revenue/Bond, Transport
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CA SB 275	AUTHOR:	Torlakson (D)
	TITLE:	Transportation Needs Assessment
	INTRODUCED:	02/16/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Transportation and Housing Committee
	HEARING:	04/05/2005 1:30 pm
	SUMMARY:	Requires the California Transportation Commission, working with the Department of Transportation, to submit before June 30, 2006, a 10-year needs assessment to the Legislature on the state's transportation system.
	STATUS: 02/24/2005	To SENATE Committee on TRANSPORTATION AND HOUSING.
	Subject:	Transport
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CA SB 298	AUTHOR:	Scott (D)
	TITLE:	Transportation: Local Funding
	INTRODUCED:	02/16/2005
	DISPOSITION:	Pending
	LOCATION:	Senate Rules Committee
	SUMMARY:	Relates to the amount of local transportation funds to be allocated to claimants. Makes a nonsubstantive change to these provisions.
	STATUS: 02/24/2005	To SENATE Committee on RULES.
	Subject:	Transport
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CA SB 324	AUTHOR:	McClintock (R)
	TITLE:	Highways: Transportation Gridlock Emergencies
	INTRODUCED:	02/16/2005
	DISPOSITION:	Pending
	COMMITTEE:	Senate Transportation and Housing Committee
	HEARING:	04/05/2005 1:30 pm
	SUMMARY:	Includes a transportation gridlock emergency within the definition of a state of emergency. Requires the Department of Transportation to prepare and submit an annual report to the Governor and the Legislature that contains a list of state highways, in ranking order, based on the average daily vehicle hours of delay, excluding weekends, for the highway.
	STATUS: 02/24/2005	To SENATE Committee on TRANSPORTATION AND HOUSING.
	Subject:	Transport
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CA SB 371	AUTHOR:	Torlakson (D)
	TITLE:	Public Contracts; Design-Build: Transportation

INTRODUCED: 02/17/2005
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 04/05/2005 1:30 pm
SUMMARY:

Authorizes, until January 1, 2011, certain state and local transportation entities to use a design-build process for bidding on highway construction projects. Establishes a procedure for submitting bids that includes a requirement that design-build entity bidders provide certain information in a questionnaire submitted to the transportation entity that is verified under oath.

STATUS:
 02/24/2005 To SENATE Committee on TRANSPORTATION AND HOUSING.
Subject: Transport

CA SB 427

AUTHOR: Hollingsworth (R)
TITLE: California Environmental Quality Act: Exemption
INTRODUCED: 02/17/2005
DISPOSITION: Pending
LOCATION: Senate Environmental Quality Committee
SUMMARY:

Exempts from California Environmental Quality Act (CEQA) environmental impact report requirements the construction of any overpass, on-ramp, or off-ramp that is built on an existing State Department of Transportation right-of-way.

STATUS:
 03/03/2005 To SENATE Committee on ENVIRONMENTAL QUALITY.
Subject: Transport

CA SB 468

AUTHOR: Campbell (R)
TITLE: Transportation: Programming of Projects
FISCAL COMMITTEE: no
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
DISPOSITION: Pending
LOCATION: Senate Rules Committee
SUMMARY:

Makes a technical, nonsubstantive change to existing law that requires the Transportation Commission to program interregional and regional transportation capital improvement projects through the State Transportation Improvement Program process, consistent with estimated available funding.

STATUS:
 03/03/2005 To SENATE Committee on RULES.
Subject: Transport

CA SB 519

AUTHOR: McClintock (R)
TITLE: Exclusive Use or Preferential Use Highway Lanes
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee
HEARING: 04/05/2005 1:30 pm
SUMMARY:

Requests the University of California to conduct a study, in consultation with the Department of Transportation to cooperate with the University of California in conducting the study to provide the university requested information.

STATUS:
 03/03/2005 To SENATE Committee on TRANSPORTATION AND HOUSING.
Subject: Transport

CA SB 561

AUTHOR: Runner (R)
TITLE: Toll Roads
FISCAL COMMITTEE: yes
URGENCY CLAUSE: no
INTRODUCED: 02/18/2005
DISPOSITION: Pending
COMMITTEE: Senate Transportation and Housing Committee

HEARING: 04/05/2005 1:30 pm**SUMMARY:**

Deletes the deadline for the Department of Transportation to enter into agreements for privately financed toll road projects. Deletes the limit on the number of authorized projects.

STATUS:

03/03/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

Subject:

Transport

CA SB 601

AUTHOR:

Soto (D)

TITLE:

Traffic Congestion: Bond Measure

FISCAL COMMITTEE:

no

URGENCY CLAUSE:

no

INTRODUCED:

02/18/2005

DISPOSITION:

Pending

LOCATION:

Senate Rules Committee

SUMMARY:

States the Legislature's intent to enact a general obligation bond measure to fund projects to facilitate freight movement and to reduce traffic congestion on state highways.

STATUS:

03/03/2005

To SENATE Committee on RULES.

Subject:

Revenue/Bond, Transport

CA SB 680

AUTHOR:

Simitian (D)

TITLE:

Congestion Management and Transportation Improvements

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Transportation and Housing Committee

HEARING:

04/05/2005 1:30 pm

SUMMARY:

Authorizes the Santa Clara Valley Transportation Authority to impose an annual fee of up to \$5 on each motor vehicle registered within Santa Clara County for a program for the management of traffic congestion and for specified street, road, expressway, and transit purposes.

STATUS:

03/10/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

Subject:

Transport

CA SB 705

AUTHOR:

Runner (R)

TITLE:

Design-Build Contracts

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Transportation and Housing Committee

HEARING:

04/05/2005 1:30 pm

SUMMARY:

Authorizes the Department of Transportation to contractor using the design-build process for the design and construction of transportation projects. Requires the director of the department to establish a prequalification and selection process.

STATUS:

03/10/2005

To SENATE Committee on TRANSPORTATION AND HOUSING.

Subject:

Transport

CA SB 760

AUTHOR:

Lowenthal (D)

TITLE:

Ports: Congestion Relief: Security Enhancement

INTRODUCED:

02/22/2005

DISPOSITION:

Pending

COMMITTEE:

Senate Transportation and Housing Committee

HEARING:

04/05/2005 1:30 pm

SUMMARY:

Imposes on each shipping container processed in the Port of Los Angeles and the Port of Long Beach a fee of \$30 per twenty-foot equivalent unit (TEU), payable to the port by the marine terminal operator processing the container. Requires the ports to retain 1/3 of the funds derived from imposition of the fee and transmit the remaining 2/3 in the amount of 1/2 due to the California Transportation Commission and 1/2 to the South Coast Air Quality Management District.

STATUS:

03/10/2005

To SENATE Committees on TRANSPORTATION AND HOUSING and

	Subject:	ENVIRONMENTAL QUALITY. Transport
CA SB 762	AUTHOR: TITLE: INTRODUCED: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Lowenthal (D) Vehicular Sources: Intermodal Port Congestion 02/22/2005 Pending Senate Transportation and Housing Committee 04/05/2005 1:30 pm Creates the Log Angeles-Long Beach Area Intermodal Joint Powers Authority and the Oakland Area Intermodal Joint Powers Authority to oversee the functions of the Los Angeles-Long Beach Area Regional Intermodal Port Congestion and Environmental Quality Commission (LAIPC) and the Oakland Area Regional Intermodal Port Congestion and Environmental Quality Commission (OAIPC). Permits the LAIPC and OAIPC to grant motor carriers port permits for authority to enter a port for delivery of intermodal freight. STATUS: 03/10/2005
	Subject:	To SENATE Committees on TRANSPORTATION AND HOUSING and ENVIRONMENTAL QUALITY. Transport
CA SB 763	AUTHOR: TITLE: INTRODUCED: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Lowenthal (D) Ports: Priority Berthing Program 02/22/2005 Pending Senate Transportation and Housing Committee 04/05/2005 1:30 pm Requires the Port of Los Angeles and the Port of Long Beach to develop a program to provide priority berthing to ocean-going vessels that use fuel with not more than 0.2% sulfur content. Requires the program to be implemented by the ports by June 1, 2006. STATUS: 03/10/2005
	Subject:	To SENATE Committees on TRANSPORTATION AND HOUSING and ENVIRONMENTAL QUALITY. Transport
CA SB 788	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	McClintock (R) Highways 02/22/2005 Pending Senate Rules Committee Makes nonsubstantive, technical changes in existing law that authorizes the establishment of highway lanes for the exclusive or preferential use of high occupancy vehicles. STATUS: 03/10/2005
	Subject:	To SENATE Committee on RULES. Transport
CA SB 789	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	McClintock (R) Transportation 02/22/2005 Pending Senate Rules Committee Makes nonsubstantive, technical changes to existing law that requires Transportation Commission to program interregional and regional transportation capital improvement projects through the State Transportation Improvement Program process, consistent with estimated available funding. STATUS: 03/10/2005
	Subject:	To SENATE Committee on RULES. Transport
CA SB 851	AUTHOR: TITLE: INTRODUCED:	Murray (D) L.A. County Metropolitan Transportation Authority 02/22/2005

	DISPOSITION: Pending COMMITTEE: Senate Transportation and Housing Committee HEARING: 04/05/2005 1:30 pm SUMMARY: Makes conforming changes relative to existing law that creates the Los Angeles County Metropolitan Transportation Authority. STATUS: 03/10/2005 To SENATE Committee on TRANSPORTATION AND HOUSING. Subject: Transport
CA SB 944	AUTHOR: Murray (D) TITLE: Department of Transportation INTRODUCED: 02/22/2005 DISPOSITION: Pending LOCATION: SENATE SUMMARY: Provides that the Department of Transportation has full possession and control of the state highway system. Declares the intent of the Legislature to enact legislation relative to the Department of Transportation. STATUS: 02/22/2005 INTRODUCED. Subject: Transport
CA SB 987	AUTHOR: Migden (D) TITLE: County Transportation Authorities INTRODUCED: 02/22/2005 DISPOSITION: Pending LOCATION: SENATE SUMMARY: Authorizes any of the 9 Bay Area counties to spend a portion of its sales tax proceeds in another county if so provided in its county transportation expenditure plan. Authorizes the membership of the county transportation authority to be specified in the tax ordinance. Authorizes the authority to be the sponsoring agency for projects included in the expenditure plan. Changes the existing specified dollar amounts for compensation of a member of an authority and the threshold for contracts. STATUS: 02/22/2005 INTRODUCED. Subject: Transport
CA SB 988	AUTHOR: Migden (D) TITLE: Highway Funding: Policy INTRODUCED: 02/22/2005 DISPOSITION: Pending LOCATION: SENATE SUMMARY: Makes the Department of Transportation responsible for improving and maintaining the state highway system. Makes nonsubstantive changes to the transportation funding policy provision. STATUS: 02/22/2005 INTRODUCED. Subject: Transport
CA SB 1020	AUTHOR: Migden (D) TITLE: County Sales and Use Taxes: Rate Increase INTRODUCED: 02/22/2005 DISPOSITION: Pending LOCATION: SENATE SUMMARY: Authorizes a county or city and county to impose an additional 1/4 of 1% sales and use tax rate under the Bradley-Burns Law. Requires a county or city and county that imposes this additional rate to deposit all revenues derived therefrom, less specified administrative costs, into a local transportation fund. Requires a county or city and county that imposes this additional tax to comply with the applicable voter-approval requirements of a specified provision of the California Constitution. STATUS: 02/22/2005 INTRODUCED.

	Subject:	Revenue/Bond, Transport
CA SB 1024	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Perata (D) Seismic Improvements: Bond Measure 02/22/2005 Pending SENATE Enacts the Essential Facilities Seismic Retrofit Bond Act of 2005 to authorize an unspecified amount in state general obligation bonds for the seismic retrofit of essential facilities throughout the state, including toll bridge and hospitals, subject to voter approval.
	STATUS: 02/22/2005 Subject:	INTRODUCED. Revenue/Bond, Transport
CA SB 1025	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Perata (D) Transportation Investment Fund 02/22/2005 Pending SENATE Deletes inoperative and repeal provisions concerning funds in the Transportation Investment Fund that are to be allocated to state and local transportation needs pursuant to certain formulas.
	STATUS: 02/22/2005 Subject:	INTRODUCED. Revenue/Bond, Transport
CA SB 1027	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Perata (D) Ports: Harbors: Operations 02/22/2005 Pending SENATE Modifies certain declarations of legislative intent relating to ports and harbors.
	STATUS: 02/22/2005 Subject:	INTRODUCED. Transport
CA SB 1099	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Hollingsworth (R) Department of Transportation: Duties and Powers 02/22/2005 Pending SENATE Makes nonsubstantive changes to provisions describing the powers and duties to the Department of Transportation.
	STATUS: 02/22/2005 Subject:	INTRODUCED. Transport
CA SCA 7	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: DISPOSITION: COMMITTEE: HEARING: SUMMARY:	Torlakson (D) Loans of Transportation Revenues and Funds yes no 02/15/2005 Pending Senate Transportation and Housing Committee 04/05/2005 1:30 pm Requires any loan of motor vehicles fuel and vehicle-related revenues or trust funds that is not repaid within the same fiscal year in which the loan was made, or by a date not more than 30 days after the enactment date of the Budget Bill for the subsequent fiscal year, to be repaid with interest at specified rate. Provides that a loan of these funds may also be made to other state funds or accounts under the conditions applicable to loans to the General Fund.

STATUS: 02/24/2005		To SENATE Committees on TRANSPORTATION AND HOUSING and ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS.
Subject:		Revenue/Bond, Transport
<hr/>		
CA SR 8	AUTHOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Torlakson (D) Transportation and Housing 01/11/2005 Pending Senate Transportation and Housing Committee Declares that the Senate places a high priority during the 2005-06 Regular Session on improving access to housing and reducing traffic congestion by promoting affordable housing, infill development, and other policies that allow people to live closer to their workplaces.
	STATUS: 01/27/2005 01/27/2005 Subject:	Withdrawn from SENATE Committee on RULES. To SENATE Committee on TRANSPORTATION AND HOUSING. Housing, Transport
<hr/>		
CA ACA 4 a	AUTHOR: TITLE: FISCAL COMMITTEE: URGENCY CLAUSE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Keene (R) State Finances yes no 01/20/2005 02/24/2005 Pending Assembly Budget Process Committee Requires, rather than authorizes, the Governor to issue a proclamation declaring a fiscal emergency, and specifies that the proclamation would be issued when the Governor determines either that General Fund revenues will decline below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that General Fund expenditures will increase above that estimate of General Fund revenues, or both, by at least \$250,000,000.
	STATUS: 03/02/2005 Subject:	In ASSEMBLY Committee on BUDGET PROCESS: Heard. Revenue/Bond, Transport
<hr/>		
US H 3	SPONSOR: TITLE: INTRODUCED: LAST AMEND: DISPOSITION: LOCATION: SUMMARY:	Young D (R) Highway Program Funds 02/09/2005 03/10/2005 Pending SENATE Authorizes funds for Federal-aid highways, highway safety programs, and transit programs.
	STATUS: 03/10/2005 03/10/2005	In HOUSE. Amended on HOUSE floor. In HOUSE. Passed HOUSE. *****To SENATE.
<hr/>		
US H 113	SPONSOR: TITLE: INTRODUCED: DISPOSITION: LOCATION: SUMMARY:	Kennedy M (R) Gasohol Reduced Tax Rate 01/04/2005 Pending House Transportation & Infrastructure Committee Requires the Secretary of Transportation, in computing the estimated tax payments attributed to highway users for purposes of title 23, United States Code, to take into account the replacement of the reduced rates of tax on gasohol with an excise tax credit.
	STATUS: 01/04/2005 01/04/2005	INTRODUCED. To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
<hr/>		
US H 168	SPONSOR: TITLE:	Millender-McDon (D) Freight Transportation Gateways

	INTRODUCED: 01/04/2005 DISPOSITION: Pending LOCATION: House Transportation & Infrastructure Committee SUMMARY: Establishes a goods movement program to improve the productivity, security, and safety of freight transportation gateways. STATUS: 01/04/2005 INTRODUCED. 01/04/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 169	SPONSOR: Millender-McDon (D) TITLE: High Priority Corridor INTRODUCED: 01/04/2005 DISPOSITION: Pending LOCATION: House Transportation & Infrastructure Committee SUMMARY: Designates a high priority corridor in California. STATUS: 01/04/2005 INTRODUCED. 01/04/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 242	SPONSOR: Ehlers (R) TITLE: Department of Transportation INTRODUCED: 01/06/2005 DISPOSITION: Pending LOCATION: Multiple Committees SUMMARY: To authorize appropriations to the Department of Transportation for surface transportation research and development, and for other purposes. STATUS: 01/06/2005 INTRODUCED. 01/06/2005 To HOUSE Committee on SCIENCE. 01/06/2005 Additionally referred to HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 243	SPONSOR: Ehlers (R) TITLE: Department of Transportation INTRODUCED: 01/06/2005 DISPOSITION: Pending LOCATION: House Science Committee SUMMARY: To authorize appropriations to the Department of Transportation for surface transportation research and development, and for other purposes. STATUS: 01/06/2005 INTRODUCED. 01/06/2005 To HOUSE Committee on SCIENCE.
US H 325	SPONSOR: Graves (R) TITLE: High Occupancy Vehicle Facilities INTRODUCED: 01/25/2005 DISPOSITION: Pending LOCATION: House Transportation & Infrastructure Committee SUMMARY: To amend title 23, United States Code, to establish requirements for the operation of high occupancy vehicle facilities on highways. STATUS: 01/25/2005 INTRODUCED. 01/25/2005 To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.
US H 444	SPONSOR: Issa (R) TITLE: High Occupancy Vehicles INTRODUCED: 02/01/2005 DISPOSITION: Pending LOCATION: House Transportation & Infrastructure Committee SUMMARY:

To amend title 23, United States Code, relating to the use of high occupancy vehicle lanes by hybrid vehicles.

STATUS:

02/01/2005

INTRODUCED.

02/01/2005

To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

US H 494

SPONSOR:

Rohrabacher (R)

TITLE:

Harbor Fees

INTRODUCED:

02/01/2005

DISPOSITION:

Pending

LOCATION:

House Transportation & Infrastructure Committee

SUMMARY:

To amend the Water Resources Development Act of 1986 to expand the authority of non - Federal interests to levy harbor fees.

STATUS:

02/01/2005

INTRODUCED.

02/01/2005

To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

US H 603

SPONSOR:

Watson (D)

TITLE:

Safety and Reduce Traffic Congestion

INTRODUCED:

02/02/2005

DISPOSITION:

Pending

LOCATION:

House Transportation & Infrastructure Committee

SUMMARY:

Improves safety and reduce traffic congestion at grade crossings.

STATUS:

02/02/2005

INTRODUCED.

02/02/2005

To HOUSE Committee on TRANSPORTATION AND INFRASTRUCTURE.

US S 104

SPONSOR:

Talent (R)

TITLE:

Highway Projects and Rail Transfer Facilities

INTRODUCED:

01/24/2005

DISPOSITION:

Pending

LOCATION:

Senate Finance Committee

SUMMARY:

A bill to amend the Internal Revenue Code of 1986 to provide tax - exempt financing of highway projects and rail - truck transfer facilities.

STATUS:

01/24/2005

INTRODUCED.

01/24/2005

In SENATE. Read second time.

01/24/2005

To SENATE Committee on FINANCE.

US S 129

SPONSOR:

Talent (R)

TITLE:

Facilities

INTRODUCED:

01/24/2005

DISPOSITION:

Pending

LOCATION:

Senate Environment and Public Works Committee

SUMMARY:

A bill to amend title 23, United States Code, to provide for HOV facilities.

STATUS:

01/24/2005

INTRODUCED.

01/24/2005

In SENATE. Read second time.

01/24/2005

To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

US S 197

SPONSOR:

Boxer (D)

TITLE:

Traffic Congestion

INTRODUCED:

01/26/2005

DISPOSITION:

Pending

LOCATION:

Senate Commerce, Science & Transportation Committee

SUMMARY:

A bill to improve safety and reduce traffic congestion at grade crossings.

STATUS:

01/26/2005

INTRODUCED.

01/26/2005

In SENATE. Read second time.

01/26/2005

To SENATE Committee on COMMERCE, SCIENCE, AND

TRANSPORTATION.

US S 248

SPONSOR: DeMint (R)
TITLE: Surface Transportation Program Projects
INTRODUCED: 02/01/2005
DISPOSITION: Pending
LOCATION: Senate Environment and Public Works Committee
SUMMARY:

A bill to amend title 23, United States Code, to permit States to carry out surface transportation program projects on local roads to address safety concerns.

STATUS:

02/01/2005 INTRODUCED.
02/01/2005 In SENATE. Read second time.
02/01/2005 To SENATE Committee on ENVIRONMENT AND PUBLIC WORKS.

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April 2005 Events

Visit www.scag.ca.gov for the latest information.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
3	4 WRCOG Executive Committee	5 11:00a Communication & Membership	6 SANBAG Board Gateway Cities COG 11:30a ASPA	7 LA County League of Cities 8:00a Executive 9:00a ADMIN 10:30a EEC 10:30a CEHD 10:30a TCC 12:30p RC	8 Congressional Spring District Work Period AQMD Board VCTC	9
10	11 OCTA Board of Directors	12	13 RCTC	14 10:00a Water Policy 10:00a Aviation Technical Advisory Committee (location varies) 12:00p Strategic Plan	15	16
17	18	19	20 9:30a Goods Movement 10:00a Audit/Best Practices 11:15a MAGLEV	21 SGVCOG Board Housing Summit Monrovia Community Center 10:00a Plans & Programs TAC 1:30p RSTIS	22	23
24	25 OCTA Board of Directors CVAG Executive Committee 10:30a RCP Task Force	26 10:00a Transportation Conformity Working Group	27	28 SBCCOG Board San Bernardino County City/County Managers TAC 9:30a Subregional Coordinators	29	30

INFORMATIONAL ONLY. DATES/TIMES SUBJECT TO CHANGE WITHOUT NOTICE

Printed March 18, 2005 4:03p

May 2005 Events

Visit www.scag.ca.gov for the latest information.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3 11:00a Communication & Membership	4 SCAG 2005 General Assembly Gateway Cities COG 11:30a ASPA	5 8:00a Executive ADMIN 9:00a EEC 10:30a CEHD 10:30a TCC 12:30p RC	6 VCTC	7
8	9 OCTA	10	11 RCTC	12 VCOG Board 10:00a Aviation Technical Advisory Committee (location varies)	13	14
15	16	17	18 UCLA Smart Growth Conference, Wilshire Grand 9:30a Goods Movement 11:15a MAGLEV	19 SGVCOG Board 10:00a Plans & Programs TAC	20	21
22	23 OCTA 10:30a RCP Task Force	24 10:00a Transportation Conformity Working Group	25 9:30a Modeling Task Force	26 San Bernardino County City/County Managers TAC SBCCOG 9:30a Subregional Coordinators	27	28
29	30 MEMORIAL DAY - SCAG OFFICES CLOSED	31 11:00a Communication & Membership				

INFORMATIONAL ONLY. DATES/TIMES SUBJECT TO CHANGE WITHOUT NOTICE

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June 2005 Events

Visit www.scag.ca.gov for the latest information.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 Gateway Cities COG 11:30a ASPA	2 8:00a Executive 9:00a ADMIN 10:30a EEC 10:30a CEHD 10:30a TOC 12:30p RC	3 AQMD Board Meeting VCTC	4
5	6	7	8 RCTC	9 10:00a Water Policy 10:00a Aviation Technical Advisory Committee (location varies)	10	11
APTA Rail Transit Conference - Pittsburgh, PA						
12	13 OCTA Board Meeting	14	15 9:30a Goods Movement 11:15a MAGLEV	16 SGVCOB Board Meeting 10:00a Plans & Programs TAC 1:30p RSTIS	17	18
19	20	21	22	23 SBCCOG Board Meeting 9:30a Subregional Coordinators	24	25
26	27 OCTA Board Meeting 10:30a RCP Task Force	28 10:00a Transportation Conformity Working Group	29	30 WRCOG General Assembly	NARC Annual Conference - Monterey, CA	
NARC Annual Conference - Monterey, CA						

INFORMATIONAL ONLY. DATES/TIMES SUBJECT TO CHANGE WITHOUT NOTICE

Printed March 18, 2005 4:03p

REPORT

DATE: April 7, 2005

TO: Policy Committees
Regional Council

FROM: Barbara Dove, Government Affairs, (213) 236-1861, dove@scag.ca.gov

SUBJECT: 2005 Regional Champion Awards

EXECUTIVE DIRECTOR'S APPROVAL:

J. J. J. J. J.

RECOMMENDED ACTION: Nominate a Regional Champion Candidate and seek Regional Council approval.

BACKGROUND: In February, the Regional Council authorized the establishment of four new awards recognizing Leadership and Regionalism related to specific areas of SCAG's work. Each of SCAG's three policy committees has an award to bestow upon a leader in one of their areas of focus. For example, the TCC might recognize a regional leader in Goods Movement, the EEC might identify a dedicated regionalist in Water issues, and the CEHD might deem someone deserving in the area of Housing Element Reform. The fourth award is from the Communication & Membership Subcommittee, given for excellence in media/communications. Remember that this is one time when we honor citizens, not elected officials. These award presentations will take place at the General Assembly.

This means taking action now:

1. At your March policy committee meeting, the concept was presented and discussed. Each committee member was charged with coming up with potential candidates. After the meetings, Policy Committee Members were sent emails with a Nomination Form and an explanation of the process.
2. **At your April policy committee meeting, the candidate nominations should be reviewed and consensus reached on your one nominee.** If for some reason no names were submitted in advance, ask for nominations from the floor. **Your committee report at the RC should announce your recommended Regional Champion recipient and seek the approval of the RC.** If you have no nominee, no award will be given.
3. When the above is accomplished, recipients will be notified and invited to be recognized at our May 4th and 5th General Assembly and 40th Anniversary Dinner as well as the respective policy committee meetings from which they were nominated.

Thanks for your active participation in this new opportunity to recognize regional leadership and service.

FISCAL IMPACT: There is no budget impact.

BD # 108876

2005 REGIONAL CHAMPION AWARD

NOMINATION FORM

1. Nominee's Name _____
Phone _____
Address _____
Employed by _____
 - Profession _____
 - Community and civic activities (if known) _____
2. Brief description of accomplishments _____

3. Please write a short summary of how this person has contributed to the concept of regionalism

4. Major publication(s), awards, and other recognition the person has received (if known)

Submitter's Name _____

Phone # _____

Policy Committee

CEHD

EEC

TCC

Please circle

Mail to:

Barbara Dove

SCAG, 818 West 7th Street, Los Angeles, CA 90017

Or Email to dove@scag.ca.gov

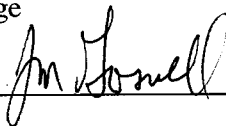
Or Fax to 213 236-1964

BD # 108266

REPORT

DATE: April 7, 2005
TO: The Transportation and Communications Committee (TCC)
FROM: Charlotte Pienkos, Government Affairs Analyst
Phone: (213) 236-1811 E-Mail: pienkos@scag.ca.gov
SUBJECT: GoCalifornia Legislative Package

EXECUTIVE DIRECTOR'S APPROVAL



RECOMMENDED ACTION: Recommend a support position on AB 850, AB 1266, and SB 705 and a support in concept position in regard to the transportation provisions of ACA 4X.

SUMMARY:

Governor Schwarzenegger has proposed three bills and one constitutional amendment, collectively called GoCalifornia, to increase transportation funding and expedite project delivery. Assembly Bill 850 (Canciamilla, D-Pittsburg) promotes private-public partnerships and toll agreements; Assembly Bill 1266 (Niello, R-Fair Oaks) permits design-sequencing; SB 705 (Runner, R-Antelope Valley) allows design-build; and Assembly Constitutional Amendment 4X (Keene, R-Chico) on the state budget, education finance, and transportation funding protects Proposition 42 revenues from reallocation to the General Fund. Based on statements in the adopted 2005 SCAG State and Federal Legislative Program and the adopted 2004 Regional Transportation Plan, support is warranted for AB 850, AB 1266, and SB 705. Due to the uncertain outcome of negotiations surrounding transportation funding, a slightly tempered support in concept position is recommended for the transportation provisions of ACA 4X until more information is known.

BACKGROUND:

On February 24, 2005, Secretary of Business, Transportation and Housing (BT&H) Sunne Wright McPeak announced the introduction of three bills that, when teamed with Governor Arnold Schwarzenegger's budget reform constitutional amendment, would "[put] the 'go' back into California's transportation system." The legislative package, titled GoCalifornia, is comprised of Assembly Bill 850 (Canciamilla, D-Pittsburg) on private-public partnerships and toll agreements; Assembly Bill 1266 (Niello, R-Fair Oaks) on design-sequencing; SB 705 (Runner, R-Antelope Valley) on design-build; and Assembly Constitutional Amendment 4X (Keene, R-Chico) on the state budget, education finance, and transportation funding.

According to a BT&H press release, "GoCalifornia increases the sources of funding for state roads and highways and reduces red tape for transportation projects." Because the innovative financing, project expediting, and Proposition 42 protection provisions contained within GoCalifornia are supported by the adopted 2005 SCAG State and Federal Legislative Program (Legislative Program) and the adopted 2004 Regional Transportation Plan (RTP), staff recommends the Transportation and Communications Committee (TCC) recommend a support position to the Regional Council.

AB 850, introduced by Assembly Member Joe Canciamilla, allows the state to enter into 35-year long agreements with private entities to construct and operate toll roads, including dedicated truck lanes. Tolls may not be charged on high occupancy vehicles (HOV) lanes, but may be charged on other lanes. At the end of 35 years, the road's control reverts to the state, which may continue to collect tolls. The state must reimburse the private entity for projected losses in revenue if the state makes improvements in a corridor

deemed in competition with the toll facilities. AB 850 does not compel the state to enter into public-private agreements, nor does it convert existing free lanes into toll lanes.

The Legislative Program states, "Support legislation that promotes the use of public-private partnerships and other innovative financing mechanisms." Also, the RTP addresses high occupancy toll (HOT) lanes, stating "Given limited public funds to support transportation infrastructure development, HOT lanes would be considered for some new facilities." Those statements, in addition to the RTP's support for user fee-supported project financing for major regional investments like dedicated truck lanes, is consistent with AB 850's limitation to new construction and its project scope. A support position is warranted.

AB 1266, introduced by Assembly Member Roger Niello, enables Caltrans to use design-sequencing, the project delivery method that permits construction to begin as soon as the design is finished for each phase of a project. The bill eliminates the current pilot program, as well as the requirement for the establishment of a peer review committee and annual reports to the Legislature.

The Legislative Program states, "Support design-build and design-sequencing procurement procedures to expedite project delivery." AB 1266 is on-point with this position and warrants SCAG's support.

SB 705, introduced by Senator George Runner, allows Caltrans to utilize design-build when procuring new transportation projects. Caltrans currently uses design-bid-build, a process that can result in unnecessary delays and cost overruns. Design-build accelerated the completion of projects because a project is subject to a single-bid process. Costs are contained by construction efficiency. The same Legislative Program platform stated above is applicable to SB 705; staff recommends a support position.

ACA 4X, introduced by Assembly Member Rick Keene, places a constitutional amendment before the voters to provide ongoing spending authority in the event of a late budget, across-the-board spending cuts to prevent General Fund spending from exceeding revenues; changes the Proposition 98 minimum funding guarantee for K-14 education; protects Proposition 42 transportation funding; and prohibits General Fund borrowing from special funds. As it relates to transportation, ACA 4X repeals the authority to suspend Proposition 42 transfers, referred to as the firewall, and extends repayment of previously borrowed Proposition 42 funds for fifteen years without an inflationary factor. While stretching the repayment schedule, ACA 4X does authorize the state to bond the repayment obligation to generate immediate proceeds to fund transportation projects.

The Legislative Program advocates a constitutional amendment to protect Proposition 42 revenues from reallocation to the General Fund, a task ACA 4X would undertake. Similarly, the RTP calls for a constitutional amendment to "ensure Proposition 42 revenue is available when needed." As the most viable of the Proposition 42 firewall measures, ACA 4X has the Governor's support and would provide the constitutional fix transportation stakeholders have sought for two years. It comes with a price in the form of a likely Proposition 42 suspension in Fiscal Year 2006-2007.

As negotiations continue on the exact nature of the deal to be struck between the Governor, the Legislature, and transportation stakeholders, it would be premature to indicate a support position for the transportation provisions of ACA 4X when a better deal remains to be made. In the meantime, a support in concept position is merited, with a possible change to a support position later when more details are known. Staff recommends no position on sections of ACA 4X unrelated to transportation.

SUPPORT:

No agencies have offered support on any of the GoCalifornia bills as of March 16, 2005.

OPPOSE:

Opposition to ACA 4X has been lodged in regard to its education provisions, but not to its transportation provisions.

BILL STATUS:

AB 850 and AB 1266 are in the Assembly Transportation Committee; no hearings have been scheduled. SB 705 is in the Senate Transportation and Housing Committee; a hearing is scheduled for April 5th at 1:30pm. ACA 4X is in the Assembly Budget Process Committee; no hearing has been scheduled.

FISCAL IMPACT:

All work related to adopting the recommended staff action is contained within the adopted FY 04/05 budget and adopted 2005 SCAG Legislative Program and does not require the allocation of any additional financial resources.

CP#108679



BILL NUMBER: AB 850 INTRODUCED
BILL TEXT

INTRODUCED BY Assembly Member Canciamilla
(Principal coauthor: Assembly Member Benoit)
(Principal coauthor: Senator Runner)

FEBRUARY 18, 2005

An act to amend Section 143 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 850, as introduced, Canciamilla. Toll road agreements.

Existing law, until January 1, 2003, authorized the Department of Transportation to solicit proposals and enter into agreements with private entities or consortia for the construction and lease of no more than 2 toll road projects, and specified the terms and requirements applicable to those projects.

This bill would instead authorize the department to enter into comprehensive development franchise agreements with public and private entities or consortia for specified types of transportation projects, as defined, subject to certain requirements and conditions. The bill would authorize tolls to be collected after the termination of a franchise agreement period, subject to approval of the California Transportation Commission. The bill would require a franchise agreement to allow the department to acquire by condemnation or negotiation the financial value of a competing toll facility if the department opens a competitive state facility in the same corridor. The bill would enact other related provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 143 of the Streets and Highways Code is amended to read:

143. (a) ~~The~~ Pursuant to Chapter 3
(commencing with Section 30800) of Division 17, the department may solicit proposals , negotiate, and enter into comprehensive development franchise agreements with public and private entities, or consortia thereof, for the construction ~~by, and lease to, private entities of two public transportation demonstration~~ projects. ~~The department shall not enter into an agreement for any new proposals under this authority after January 1, 2003~~ As used in this section, " transportation projects " means (1) shared high-occupancy vehicle (HOV) lanes where HOVs are permitted free passage, (2) dedicated exclusive truck lanes, (3) mixed-flow toll lanes and free lanes, and (4) toll lanes for all vehicles other than HOVs .(b) For the purpose of facilitating those transportation projects, the agreements between the parties may include provisions for limiting the department from initiating the opening to traffic of new competing state highway facilities within the same transportation corridor, for the lease of rights-of-way in, and airspace over or under,

(d) (1) Agreements entered into pursuant to this section shall authorize the ~~private~~ contracting entity to impose tolls for use of a facility constructed by it, and shall require that over the term of the ~~lease~~ franchise, that the toll revenues will be applied to payment of some or all of the ~~private entity's~~ capital outlay costs for the project, the costs associated with operations, toll collection, administration of the facility, reimbursement to the ~~state~~ department or other governmental entity for the costs of ~~maintenance and~~ services to develop and maintain the project, police services, and a reasonable return on investment to the private entity. The agreement shall require that any excess toll revenue either be applied to any indebtedness incurred by the private entity with respect to the project or be paid into the State Highway Account, or both.

(e) The plans and specifications for each transportation project constructed pursuant to this section shall comply with the department's then-existing standards for similar state transportation projects. A facility constructed by and leased to ~~a private~~ another entity shall, during the term of the lease, be deemed to be a part of the state highway system for purposes of identification, maintenance,

enforcement of traffic laws, and for the purposes of Division 3.6 (commencing with Section 810) of Title 1 of the Government Code.

(f) The assignment authorized by subdivision (c) of Section 130240 of the Public Utilities Code is consistent with this section.

(g) Each franchise agreement entered into by the department shall include provisions authorizing the department to open competitive facilities to traffic within the designated corridor subject to the department exercising its police power to either acquire by condemnation or negotiation the remaining net fair market capitalized value of the toll franchise period equivalent to the projected lost annual income for the remaining term of the competition protection afforded by that agreement. The annual payments shall be determined by a projection of the average increase of net income over the previous five years of tolled operations, or less than five years if there have not been a full five years of consecutive operations of the facility. To the extent that the toll facility does not suffer a loss of net income equivalent to that projected in each year, the sum paid at the end of that fiscal year on June 30 shall be adjusted so that the department's payments are reduced accordingly.

article, these projects shall be deemed public works. ~~---(b) In selecting projects for the pilot program authorized under subdivision (a), the director shall attempt to balance geographical areas among test projects as well as pursue diversity in the types of projects undertaken. In this process, the director shall consider selecting projects that improve interregional and intercounty routes.~~

~~---(c) To the extent available, the department shall seek to incorporate existing knowledge and experience on design sequencing contracts in carrying out its responsibilities under subdivision (a).~~

~~---(d) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.~~

SEC. 3. Section 217.8 of the Streets and Highways Code is repealed.

~~217.8. (a) Not later than July 1, 2006, and July 1 of each subsequent year during which a contract under the phase two pilot program, as described in Section 217.7, is in effect, the department shall prepare a status report on its contracting methods, procedures, costs, and delivery schedules. Upon completion of all design sequencing contracts, but in no event later than January 1, 2010, the department shall establish a peer review committee or continue in existence the peer review committee created pursuant to former Section 217.4, which was added by Chapter 378 of the Statutes of 1999, and direct that committee to prepare a report for submittal to the Legislature that describes and evaluates the outcome of the contracts provided for in Section 217.7, stating the positive and negative aspects of using design sequencing as a contracting method. (b) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.~~

SEC. 4. Section 217.9 of the Streets and Highways Code is amended to read:

217.9. Design-sequencing contracts ~~under the phase two pilot program~~, as described in Section 217.7, shall be awarded in accordance with all of the following: (a) The department shall advertise design-sequencing projects by special public notice to contractors.

(b) Contractors shall be required to provide prequalification information establishing appropriate licensure and successful past experience with the proposed work.

~~---(c) This section shall remain in effect only until January 1, 2010, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2010, deletes or extends that date.~~

BILL NUMBER: SB 705 INTRODUCED
BILL TEXT

INTRODUCED BY Senator Runner
(Coauthors: Assembly Members Benoit and Sharon Runner)

FEBRUARY 22, 2005

An act to add Article 8 (commencing with Section 228) to Chapter 1 of Division 1 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 705, as introduced, Runner. Design-build contracts.

Existing law makes the Department of Transportation responsible for improving and maintaining the state highway system. Under existing law, until January 1, 2010, the department is authorized to utilize design-sequencing as an alternative contracting method for the design and construction of not more than 12 transportation projects, as defined.

This bill would authorize the department to contract using the design-build process, as defined, for the design and construction of transportation projects. The bill would require the director of the department to establish a prequalification and selection process. Because the bill would make it a crime for a person to certify as true any fact on the declaration known by him or her to be false, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares the following: (a) Various public agencies throughout the country have been considering, and in some cases experimenting with, innovative contracting practices for public works with the goal of improving and reducing the cost of the public works contract process and reducing highway user delays, to the benefit of the public interest.

(b) The Federal Highway Administration has established an experimental project for the purpose of evaluating certain innovative contracting practices, including the use of design-build contracts, and has provided funding for the documentation, evaluation, and reporting of these activities.

SEC. 2. Article 8 (commencing with Section 228) is added to Chapter 1 of Division 1 of the Streets and Highways Code , to read:

Article 8. Design-Build Contracting Program

228. Notwithstanding any provision of the Public Contract Code or any other provision of law, the department may let design-build contracts for the design and construction of transportation projects selected by the director. For the purpose of this article, these projects shall be deemed public works.

228.1. The following definitions apply for purposes of this article: (a) "Best value" means a value determined by objective criteria and may include, but is not limited to, price, features, functions, life-cycle costs, and other criteria deemed appropriate by the department.

(b) "Design-build" means a procurement process in which both the design and construction of a project are procured from a single entity.

(c) "Design-build entity" means a partnership, corporation, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed.

228.2. Prior to contracting for the procurement of state transportation projects, the director shall take all of the following actions: (a) Prepare a program setting forth the scope of the project that may include, but is not limited to, the size, type, and desired design character of the transportation project and site and performance specifications covering the quality of materials, equipment, and workmanship, or any other information deemed necessary to describe adequately the state's needs. The performance specifications shall be prepared by a design professional licensed and registered in the State of California.

(b) (1) Establish a competitive prequalification and selection process for design-build entities, including any subcontractors listed at the time of bid, that clearly specifies the prequalification criteria and the manner in which the winning entity will be selected.

(2) Prequalification shall be limited to the following criteria:

(A) Possession of all required licenses, registration, and credentials in good standing that are required to design and construct the project.

(B) Submission of evidence that establishes that the design-build entity members have completed, or demonstrated the capability to complete, projects of similar size, scope, or complexity and that proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of the project.

(C) Submission of a proposed project management plan that establishes that the design-build entity has the experience, competence, and capacity needed to effectively complete the project.

(D) Submission of evidence that establishes that the design-build entity has the capacity to obtain all required payment and performance bonding, liability insurance, and errors and omissions insurance.

(E) Submission of a financial statement that assures the department that the design-build entity has the capacity to complete the project.

(F) Provision of a declaration certifying that the design-build entity members have not had a surety company finish work on any project within the last five years.

(G) Provision of information and a declaration providing details concerning all of the following:

(i) Any settlement or judgment in a construction or design claim or litigation totaling more than five hundred thousand dollars (\$500,000) or 5 percent of the annual value of work performed, whichever is less, against any member of the design-build entity within the last five years.

(ii) Any serious violation of the Occupational Safety and Health

Act, as provided in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code, committed by any member of the design-build entity.

(iii) Any violation of federal or state law, including, but not limited to, those laws governing the payment of wages or benefits or personal income tax, Federal Insurance Contributions Act withholding, or state disability insurance withholding or unemployment insurance payment requirements against any member of the design-build entity within the last five years. For the purposes of this clause, only violations committed by a design-build member as an employer shall be included in the declaration. A violation by a subcontractor of the provisions of subdivision (b) of Section 1775 of the Labor Code shall be included in the declaration if the design-build member had knowledge of the violation.

(iv) Any violations of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code), excluding complaints the registrar found unsubstantiated.

(v) Any conviction of any member of the design-build entity for submitting a false or fraudulent claim to a public agency over the last five years.

(H) Submission of the questionnaire required by Section 10162 of the Public Contract Code under penalty of perjury.

(I) Provision of a declaration that the design-build entity will comply with all other provisions of law applicable to the project, including, but not limited to, the requirements of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(3) Any declaration required under paragraph (2) shall state that reasonable diligence has been used in its preparation and that it is true and complete to the best of the signer's knowledge. A person who certifies as true any material matter that he or she knows to be false is guilty of a misdemeanor and shall be punished by not more than one year in a county jail, by a fine of not more than five thousand dollars (\$5,000), or by both the fine and imprisonment.

228.3. (a) The department, in each design-build request for proposal, may identify types of subcontractors by subcontractor license classification, that will be listed by the design-build entity at the time of the bid. In selecting the subcontractors that will be listed by the design-build entity, the department shall limit the identification to only those license classifications deemed essential for proper completion of the project. The department shall not specify more than five licensed subcontractor classifications.

(b) At its discretion, the design-build entity may list an additional two subcontractors, identified by subcontractor license classification, that will perform design or construction work, or both, on the project. The design-build entity shall not list at the time of bid, a total of more than seven subcontractor license classifications on a project.

(c) All subcontractors that are listed at the time of bid shall be afforded all of the protection contained in Chapter 4 (commencing with Section 4100) of Part 1 of Division 2 of the Public Contract Code.

228.4. (a) All subcontracts that are not to be performed by the design-build entity shall be competitively bid and awarded by the design-build entity, in accordance with the design-build process set forth by the department in the design-build package. (b) The design-build entity shall do all of the following in bidding and awarding the subcontractors:

(1) Provide public notice of the availability of work to be subcontracted in accordance with Section 10140 of the Public Contract Code.

(2) Provide a fixed date and time at which the subcontracted work

will be awarded in accordance with Section 10141 of the Public Contract Code.

(3) As authorized by the department, establish reasonable prequalification criteria and standards, limited in scope to those described in Section 228.2.

(4) Provide that the subcontracted work shall be awarded to the lowest responsible bidder.

228.5. The department shall establish technical criteria and methodology, including price, to evaluate proposals and shall describe the criteria and methodology in the request for design-build proposals. The award shall be made to the design-build entity whose proposal is judged as providing the best value in meeting the interest of the department and meeting the objectives of the project.

228.6. (a) Any design-build entity that is selected to design and build a project pursuant to this section shall possess or obtain sufficient bonding as required by applicable provisions of the Public Contract Code or the California Toll Bridge Authority Act (Chapter 1 (commencing with Section 30000) of Division 17). Nothing in this section shall prohibit a general or engineering contractor from being designated the lead entity on a design-build entity for the purposes of purchasing necessary bonding to cover the activities of the design-build entity. (b) Any payment or performance bond written for the purposes of this section shall use a bond form developed by the Department of General Services. In developing the bond form, the department shall consult with the surety industry to achieve a bond form that is consistent with surety industry standards, while protecting the interests of the state.

SEC. 3.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

BILL NUMBER: ACAX1 4 AMENDED
BILL TEXT

AMENDED IN ASSEMBLY FEBRUARY 24, 2005

INTRODUCED BY Assembly Member Keene

JANUARY 20, 2005

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 10 and 12 of Article IV thereof, by amending Section 6 of Article XIII B thereof, by amending Section 8 of Article XVI thereof, by amending Section 6 of Article XIX thereof, by repealing Section 1 of Article XIX A thereof, and by amending Section 1 of Article XIX B thereof, relating to state finance.

LEGISLATIVE COUNSEL'S DIGEST

ACA 4, as amended, Keene. State finances.

(1) The California Constitution provides, commencing in the 2004-05 fiscal year, that if, following the enactment of the annual Budget Bill, the Governor determines either that General Fund revenues will decline substantially below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that General Fund expenditures will increase substantially above that estimate of General Fund revenues, or both, the Governor is authorized to issue a proclamation declaring a fiscal emergency and is thereupon required to cause the Legislature to assemble in special session. These provisions require that the proclamation identify the nature of the fiscal emergency and be accompanied by proposed legislation to address the fiscal emergency. If the Legislature fails to pass and send to the Governor a bill or bills to address the fiscal emergency by the 45th day following the issuance of the proclamation, the Legislature is prohibited from acting on any other bills and may not adjourn for a joint recess, until that bill or those bills have been passed and sent to the Governor. Existing law also provides for a Budget Stabilization Account into which the Controller is required to transfer specified sums of General Fund moneys, for use as specified.

This measure would require, rather than authorize, the Governor to issue a proclamation declaring a fiscal emergency, and specify that the proclamation would be issued when the Governor determines ~~either that General Fund revenues will decline below the estimate of General Fund revenues upon which the Budget Bill for that fiscal year was based, or that the sum of General Fund expenditures will increase above that estimate of General Fund revenues, or both,~~ and the amount of General Fund moneys transferred to the Budget Stabilization Account for a fiscal year will exceed General Fund revenues for that fiscal year by at least \$250,000,000, adjusted to reflect the rate of inflation shown in the California consumer price index as determined by the Director of Finance. The measure would also require, as an additional consequence if the Legislature fails to pass a bill or bills to address the fiscal emergency by the 45th day, or under specified circumstances, by the 30th day, that reductions be imposed, on a pro rata basis, on all General Fund appropriations enacted on or before the date of the proclamation, by a percentage estimated by the Director of Finance to cause total General Fund ~~appropriations~~ expenditures

been paid prior to the 2005-06 fiscal year may be paid over a term of years, as prescribed by law. Existing statutory law provides that these claims be paid over a period not to exceed 5 years.

This measure would provide that the term of years over which payable claims shall be paid shall not exceed 15 years.

(6) Existing provisions of the California Constitution require that specified state funds be applied annually for the support of school districts and community college districts in an amount not less than the greater of the amounts calculated under 3 different tests: ~~-(1)-~~ (a) the amount that as a percentage of General Fund revenues appropriated for school districts and community college districts is equal to the percentage of General Fund revenues appropriated for that purpose in the 1986-87 fiscal year (Test 1), ~~-(2)-~~ (b) the amount required to ensure that the total allocations to school districts and community college districts from General Fund proceeds of taxes and allocated local proceeds of taxes are not less than the total amount from these sources in the prior fiscal year adjusted for changes in enrollment and cost of living, operative only in a fiscal year in which the percentage growth in per capita personal income is less than or equal to the percentage growth in per capita General Fund revenues plus ~~-.5%~~ 0.5% (Test 2), or ~~-(3)-~~ (c) the amount calculated pursuant to Test 2, but adjusted for changes in enrollment and the change in per capita General Fund revenues, operative only when the percentage growth in per capita personal income is greater than the percentage growth in per capita General Fund revenues plus ~~-.5%~~ 0.5% (Test 3).

Existing provisions of the California Constitution also permit the suspension of these provisions by the Legislature, with certain requirements, and provide that school districts or community college districts are entitled to a maintenance factor, as specified, if these provisions are suspended by the Legislature, or if funding of the public education system is computed pursuant to Test 3, as described above.

This measure would ~~provide that~~ repeal the provisions setting forth Test 3 as an alternative calculation to be used in determining the minimum annual amount required to be appropriated for the support of school districts and community college districts ~~are not operative in fiscal years succeeding the fiscal year in which this measure became effective~~, ~~and would provide that~~ repeal the authority to suspend the requirement to appropriate that minimum annual funding guarantee ~~applies only to those fiscal years preceding the fiscal year that commences subsequent to the effective date of this measure~~, and would repeal the related provisions providing for maintenance factors. This measure would require that the total outstanding amount of any maintenance factors under the repealed provisions be repaid in total no later than July 1, 2021, and that the amount of that repayment be excluded from consideration in calculating the minimum funding guarantee for the 2005-06 fiscal year, and any subsequent fiscal year.

This measure would provide, as specified, that appropriations made for ~~a~~ the 2005-06 fiscal year, or any subsequent fiscal year, that exceed the minimum funding guarantee for that fiscal year are excluded from consideration in calculating the minimum funding guarantee for any subsequent fiscal year, as determined under Test 2 ~~, unless the statute making such an appropriation specifies otherwise~~.

This measure would require any balance of amounts that were required to be allocated under the existing minimum annual funding

guarantee for the 2003-04 fiscal year or any preceding fiscal year, but *that* were not allocated as of the effective date of this measure, to be repaid in total, on a specified allocated basis, within 15 years from that date.

This measure would further provide that the balance of any amounts required under the annual funding guarantee to be allocated to school districts and community college districts for the 2004-05 fiscal year, or any subsequent fiscal year, that ~~were~~

was not allocated prior to the end of that fiscal year ~~are~~ is continuously appropriated to the Controller from the General Fund for allocation to school districts and community college districts upon the certification of the final data necessary for the calculation of the annual funding guarantee by the Department of Finance and the Superintendent of Public Instruction, subject to certain requirements. The measure would permit the Legislature to require a school district or community college district to use those funds for a specified purpose.

(7) Existing provisions of the California Constitution require sales taxes on motor vehicle fuel that are deposited in the General Fund to be transferred to the Transportation Investment Fund for allocation to various transportation purposes. These provisions authorize the transfer of these revenues to the Transportation Investment Fund to be suspended, in whole or in part, for a fiscal year during a fiscal emergency pursuant to a proclamation issued by the Governor and the enactment of a statute by a 2/3 vote of both houses of the Legislature, if the statute does not contain any unrelated provision.

This measure instead would provide that the transfer of revenues from the General Fund to the Transportation Investment Fund may be suspended, in whole or in part, and subject to these conditions, for any fiscal year preceding the 2007-08 fiscal year.

The measure would also require that the total amount, as of July 1, 2007, of revenues that were not transferred from the General Fund to the Transportation Investment Fund because of a suspension pursuant to these provisions be repaid to the Transportation Investment Fund no later than June 30, 2022, and that until the total amount has been repaid, the amount of repayment to be made in each fiscal year shall not be less than 1/15 of the total amount due. It would authorize the Legislature to provide by statute for the issuance of bonds secured by these payments, with the proceeds to be used for purposes consistent with the provisions governing the Transportation Investment Fund, and for costs associated with the issuance and sale of the bonds.

(8) *This measure would declare that its provisions are severable, and that any invalidity of one of its provisions or applications shall not affect other provisions or applications that can be given effect without the invalid provision or application.*

Vote: 2/3. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 2005 -06 Regular Session commencing on the sixth day of December 2004, two-thirds of the membership of each house concurring, hereby proposes to the people of the State of California, that the Constitution of the State be amended as follows:

First--That Section 10 of Article IV thereof is amended to read:

SEC. 10. (a) Each bill passed by the Legislature shall be presented to the Governor. It becomes a statute if it is signed by

the Governor. The Governor may veto it by returning it with any objections to the house of origin, which shall enter the objections in the journal and proceed to reconsider it. If each house then passes the bill by rollcall vote entered in the journal, two-thirds of the membership concurring, it becomes a statute. (b) (1) Any bill, other than a bill which would establish or change boundaries of any legislative, congressional, or other election district, passed by the Legislature on or before the date the Legislature adjourns for a joint recess to reconvene in the second calendar year of the biennium of the legislative session, and in the possession of the Governor after that date, that is not returned within 30 days after that date becomes a statute.

(2) Any bill passed by the Legislature before September 1 of the second calendar year of the biennium of the legislative session and in the possession of the Governor on or after September 1 that is not returned on or before September 30 of that year becomes a statute.

(3) Any other bill presented to the Governor that is not returned within 12 days becomes a statute.

(4) If the Legislature by adjournment of a special session prevents the return of a bill with the veto message, the bill becomes a statute unless the Governor vetoes the bill within 12 days after it is presented by depositing it and the veto message in the office of the Secretary of State.

(5) If the 12th day of the period within which the Governor is required to perform an act pursuant to paragraph (3) or (4) of this subdivision is a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday.

(c) Any bill introduced during the first year of the biennium of the legislative session that has not been passed by the house of origin by January 31 of the second calendar year of the biennium may no longer be acted on by the house. No bill may be passed by either house on or after September 1 of an even-numbered year except statutes calling elections, statutes providing for tax levies or appropriations for the usual current expenses of the State, and urgency statutes, and bills passed after being vetoed by the Governor.

(d) The Legislature may not present any bill to the Governor after November 15 of the second calendar year of the biennium of the legislative session.

(e) The Governor may reduce or eliminate one or more items of appropriation while approving other portions of a bill. The Governor shall append to the bill a statement of the items reduced or eliminated with the reasons for the action. The Governor shall transmit to the house originating the bill a copy of the statement and reasons. Items reduced or eliminated shall be separately reconsidered and may be passed over the Governor's veto in the same manner as bills.

(f) (1) ~~If , following the enactment of the budget bill for the 2004-05 fiscal year or any subsequent fiscal year, the Governor determines that, for that fiscal year, General Fund revenues will decline below the estimate of General Fund revenues upon which the budget bill for that fiscal year, as enacted, was based, or General Fund expenditures will increase above that estimate of General Fund revenues, or both,~~ the Governor determines that the sum of General Fund expenditures and the amount of General Fund moneys transferred to the Budget Stabilization Account pursuant to Section 20 of Article XVI for a fiscal year will exceed General Fund revenues for that fiscal year by at least two hundred fifty million dollars (\$250,000,000), adjusted to reflect the rate of inflation shown in the ~~appropriate~~ California consumer price index as ~~identified~~ determined by the Director of Finance, the Governor shall issue a proclamation declaring a fiscal emergency and

shall thereupon cause the Legislature to assemble in special session for this purpose. The proclamation shall identify the nature of the fiscal emergency and shall be submitted by the Governor to the Legislature, accompanied by proposed legislation to address the fiscal emergency.

(2) If the Legislature fails to pass and send to the Governor a bill or bills to address the fiscal emergency by the 45th day following the issuance of the proclamation, or the 30th day if appropriation authority is currently provided pursuant to subdivision (g) of Section 12, all of the following shall occur:

(A) The Legislature may not act on any other bill, nor may the Legislature adjourn for a joint recess, until that bill or those bills have been passed and sent to the Governor.

(B) (i) Notwithstanding any other provision of this Constitution, all General Fund appropriations enacted on or before the date of the issuance of the proclamation shall be reduced, on a pro rata basis, by that percentage that the Director of Finance estimates will cause total General Fund ~~appropriations~~ expenditures, and the amount of any General Fund moneys transferred to the Budget Stabilization Account for that fiscal year pursuant to Section 20 of Article XVI, not to exceed General Fund revenues by the end of that fiscal year. The Controller shall implement this subparagraph by applying the percentage estimated by the Director of Finance to every payment of General Fund moneys in a warrant that is issued under the authority of any affected appropriation. ~~In addition, the amount of any payment that is calculated pursuant to state statute, and issued by a government entity other than the Controller, shall, to the extent funded from the General Fund of the State, be reduced as necessary to reflect the reduction required by this subparagraph.~~ Benefits and services, including any entitlement created by state law, shall be provided at a level or in an amount consistent with the reduction in payment required under this subparagraph. In addition, the amount of any payment that is calculated pursuant to state law, and issued by a government entity, including a local government agency, other than the Controller, shall, to the extent funded from the General Fund of the state, be reduced by the same percentage that payment of General Fund moneys are reduced pursuant to this subparagraph, and any local funds that are required to be expended as a condition of the availability of state funds under that calculation shall be similarly reduced by the local entity.

(ii) This subparagraph shall not apply to a payment required by ~~federal law, the United States Constitution,~~ or to a payment required to meet obligations with respect to state bonded indebtedness ~~, or a payment required under a contract, collective bargaining agreement, or other entitlement under law for which liability of the State for payment arose before the effective date of the measure that added this subparagraph.~~

(iii) Notwithstanding any other provision of this Constitution, this subparagraph shall apply to any General Fund payment made with respect to any contract, collective bargaining agreement, or other entitlement under law for which liability of the State to pay arises on or after the effective date of the measure that added this subparagraph. This subparagraph shall be deemed to be included in every contract or other agreement to which the State is a party and any provision of state law under which the State is to make any payment.

(iv) The reduction authority set forth in this subparagraph applies until the effective date, no later than the end of that fiscal year, of a proclamation issued by the Governor declaring the end of the fiscal emergency.

(3) A bill addressing the fiscal emergency declared pursuant to

Second--That Section 12 of Article IV thereof is amended to read:

(2) The Director of Finance shall advise the Governor on the current status of state revenues and expenditures ~~in May and November of each year~~ at least quarterly, and at the beginning of any fiscal year for which a budget bill has not been enacted.

(3) The Legislature shall pass the budget bill by midnight on June 15 of each year.

(d) No bill except the budget bill may contain more than one item of appropriation, and that for one certain, expressed purpose. Appropriations from the General Fund of the State, except appropriations for the public schools, are void unless passed in each house by rollcall vote entered in the journal, two-thirds of the membership concurring.

(f) For the 2004-05 fiscal year, or any subsequent fiscal year, the Legislature may not send to the Governor for consideration, nor may the Governor sign into law, a budget bill that would appropriate from the General Fund, for that fiscal year, a total amount that, when combined with all appropriations from the General Fund for that fiscal year made as of the date of the budget bill's passage, and the amount of any General Fund moneys transferred to the Budget Stabilization Account for that fiscal year pursuant to Section 20 of Article XVI, exceeds General Fund revenues for that fiscal year estimated as of the date of the budget bill's passage. That estimate of General Fund revenues shall be set forth in the budget bill passed by the Legislature.

2005-06 fiscal year , or any subsequent fiscal year, if the budget bill is not enacted prior to July 1, as of that date amounts equal to the amounts appropriated by each of the items of appropriation in the ~~budget act~~ Budget Act

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by state law during the portion of the fiscal year for which this subdivision is operative, the entitlement shall be deemed limited, for that portion of the fiscal year, to the amount of funds appropriated pursuant to this subdivision for that purpose .

The appropriation authority set forth in this subdivision applies until ~~the effective date of the budget act enacted for that fiscal year.~~ the effective date of the Budget Act for that fiscal year. For so long as the appropriation authority set forth in this subdivision applies to a fiscal year, the amount of any continuous appropriation from the General Fund of the State for that fiscal year, including the continuous appropriation from the State School Fund pursuant to Section 6 of Article IX, shall not exceed the amount appropriated pursuant to that continuous appropriation for the immediately preceding fiscal year.

(h) (1) On and after July 1, 2006, funds may not be transferred from a special fund to the General Fund as a loan. Any funds transferred prior to that date from a special fund to the General Fund for the purpose of making a loan to the General Fund and not repaid to that special fund by July 1, 2006, shall be repaid to that special fund no later than July 1, 2021.

(2) The prohibition contained in this subdivision does not apply to loans made for the purpose of meeting the short-term ~~cash flow~~ cashflow needs of the State if any amount owed is to be repaid in full to the fund from which it was borrowed ~~during the same fiscal year in which the loan was made, or if repayment is to be made no later than a date not more than 30 days after the date of enactment of the budget bill for the subsequent fiscal year.~~ prior to the date when the transfer would interfere with the carrying out of any object for which the special fund was created.

Third--That Section 6 of Article XIII B thereof is amended to read:

SEC. 6. (a) Whenever the Legislature or any state agency mandates a new program or higher level of service on any local government, the State shall provide a subvention of funds to reimburse that local government for the costs of the program or increased level of service, except that the Legislature may, but need not, provide a subvention of funds for the following mandates: (1) Legislative mandates requested by the local agency affected.

(2) Legislation defining a new crime or changing an existing definition of a crime.

(3) Legislative mandates enacted prior to January 1, 1975, or executive orders or regulations initially implementing legislation enacted prior to January 1, 1975.

(b) (1) Except as provided in paragraph (2), for the 2005-06 fiscal year and every subsequent fiscal year, for a mandate for which the costs of a local government claimant have been determined in a preceding fiscal year to be payable by the State pursuant to law, the Legislature shall either appropriate, in the annual Budget Act, the full payable amount that has not been previously paid, or suspend the operation of the mandate for the fiscal year for which the annual Budget Act is applicable in a manner prescribed by law. A reduction in an appropriation pursuant to subparagraph (B) of paragraph (2) of subdivision (f) of Section (10) of Article IV shall not be deemed to reduce the reimbursement amount to which a local agency is entitled pursuant to this section.

(2) Payable claims for costs incurred prior to the 2004-05 fiscal year that have not been paid prior to the 2005-06 fiscal year shall be paid over a term of not more than 15 years, as prescribed by law.

(3) Ad valorem property tax revenues shall not be used to reimburse a local government for the costs of a new program or higher level of service.

(4) This subdivision applies to a mandate only as it affects a city, county, city and county, or special district.

(5) This subdivision shall not apply to a requirement to provide or recognize any procedural or substantive protection, right, benefit, or employment status of any local government employee or retiree, or of any local government employee organization, that arises from, affects, or directly relates to future, current, or past local government employment and that constitutes a mandate subject to this section.

(c) A mandated new program or higher level of service includes a transfer by the Legislature from the State to cities, counties, cities and counties, or special districts of complete or partial financial responsibility for a required program for which the State previously had complete or partial financial responsibility.

Fourth--That Section 8 of Article XVI thereof is amended to read:

SEC. 8. (a) From all state revenues there shall first be set apart the moneys to be applied by the State for support of the public school system and public institutions of higher education. (b) Commencing with the 1990-91 fiscal year, the moneys to be applied by the State for the support of school districts and community college districts shall be not less than the greater of either of the following amounts:

(1) The amount that, as a percentage of General Fund revenues that may be appropriated pursuant to Article XIII B, equals the percentage of General Fund revenues appropriated for school districts and community college districts, respectively, in the 1986-87 fiscal year.

(2) The amount required to ensure that the total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes are not less than the total amount from these sources in the prior fiscal year, excluding any revenues allocated pursuant to subdivision (a) of Section 8.5, adjusted for changes in enrollment and adjusted for the change in the cost of living pursuant to paragraph (1) of subdivision (e) of Section 8 of Article XIII B. ~~This paragraph is operative only in a fiscal year in which the percentage growth in California per capita personal income is less than or equal to the percentage growth in per capita General Fund revenues plus one half of one percent.~~

~~(3) (A) The amount required to ensure that the total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes shall equal the total amount from these sources in the prior fiscal year, excluding any revenues allocated pursuant to subdivision (a) of Section 8.5, adjusted for changes in enrollment and adjusted for the change in per capita General Fund revenues.~~

~~(B) In addition, an amount equal to one half of one percent times the prior year total allocations to school districts and community colleges from General Fund proceeds of taxes appropriated pursuant to Article XIII B and allocated local proceeds of taxes, excluding any revenues allocated pursuant to subdivision (a) of Section 8.5, adjusted for changes in enrollment.~~

~~(C) This paragraph shall be operative only in a fiscal year in which the percentage growth in California per capita personal income in a fiscal year is greater than the percentage growth in per capita General Fund revenues plus one half of one percent.~~

~~(D) This paragraph is not operative in any fiscal year succeeding the fiscal year in which the measure that added this subparagraph became effective.~~

(c) In any fiscal year, if the amount computed pursuant to

paragraph (1) of subdivision (b) exceeds the amount computed pursuant to paragraph (2) of subdivision (b) by a difference that exceeds one and one-half percent of General Fund revenues, the amount in excess of one and one-half percent of General Fund revenues shall not be considered allocations to school districts and community colleges for purposes of computing the amount of state aid pursuant to paragraph (2) of subdivision (b) in the subsequent fiscal year.

(d) If, for ~~any~~ the 2005-06 fiscal year, or any subsequent fiscal year, an amount is appropriated for the support of school districts and community college districts in excess of the minimum amount required to be appropriated for that fiscal year pursuant to subdivision (b), the excess amount so appropriated shall not be deemed an allocation to school districts and community college districts for purposes of calculating the moneys to be applied by the State for the support of those entities for any subsequent fiscal year pursuant to paragraph (2) of subdivision (b) ~~, unless the statute making that excess appropriation specifies that this exclusion does not apply~~.

(e) (1) The total amount of any outstanding maintenance factors, arising pursuant to former subdivision (d) for one or more fiscal years preceding the ~~fiscal year that commences subsequent to the effective date of the measure that added this subdivision~~ 2005-06 fiscal year, shall be repaid no later than July 1, 2021. The repayment of any maintenance factor pursuant to this paragraph for any fiscal year shall be divided between school districts and community college districts in the same proportion that allocations for that fiscal year that were made prior to the effective date of the measure that added this subdivision were apportioned to school districts and community college districts. The payment of a maintenance factor amount in ~~any fiscal year~~ the 2005-06 fiscal year, or any subsequent fiscal year, shall not be deemed an allocation to school districts and community college districts for purposes of calculating the moneys to be applied by the State for the support of those entities for any subsequent fiscal year pursuant to paragraph (2) of subdivision (b).

(2) The balance of any amounts that were required by this section to be allocated to school districts and community college districts for the 2003-04 fiscal year, or any preceding fiscal year, but were not allocated as of the effective date of the measure that added this subdivision, shall be allocated no later than 15 years following that date. The total amount of augmentations allocated pursuant to this paragraph for any fiscal year shall be divided between school districts and community college districts in the same proportion that allocations for that fiscal year that were made prior to the effective date of the measure that added this subdivision were apportioned to school districts and community college districts.

(3) (A) The balance of any amounts that are required by this section to be allocated to school districts and community college districts, for the 2004-05 fiscal year, or any subsequent fiscal year, but are not allocated as of the end of that fiscal year, are continuously appropriated to the Controller from the General Fund of the State for allocation to school districts and community college districts upon the certification by the Department of Finance and the Superintendent of Public Instruction of the final data necessary to perform the calculations required pursuant to subdivision (b). That certification shall be completed within 24 months subsequent to the end of the fiscal year. The amount appropriated pursuant to this paragraph shall be divided between school districts and community college districts in the same proportion that allocations were made during that fiscal year to school districts and community college districts.

(B) The Legislature may require, in the ~~budget act~~
Budget Act or any other statute, that a school district or community college district use funds allocated pursuant to this paragraph for a specified purpose.

(f) (1) Payable claims for state-mandated costs incurred prior to the 2004-05 fiscal year by a school district or community college district that have not been paid prior to the 2005-06 fiscal year shall be paid no later than the 2020-21 fiscal year.

(2) Amounts allocated to a school district or community college district for a fiscal year pursuant to subdivision (b) shall first be expended by the district to pay the costs for state mandates incurred during that fiscal year.

(g) (1) For purposes of this section, "changes in enrollment" shall be measured by the percentage change in average daily attendance. However, in any fiscal year, there shall be no adjustment for decreases in enrollment between the prior fiscal year and the current fiscal year unless there have been decreases in enrollment between the second prior fiscal year and the prior fiscal year and between the third prior fiscal year and the second prior fiscal year.

(2) For purposes of this section, "maintenance factor" means the difference between (A) the amount of General Fund moneys that would have been appropriated for a fiscal year pursuant to paragraph (2) of subdivision (b) if that paragraph, rather than former paragraph (3) of that subdivision, had been operative or, as applicable, the amount of General Fund moneys that would have been appropriated for a fiscal year pursuant to subdivision (b) had subdivision (b) not been suspended pursuant to a statute enacted prior to ~~January~~

July 1, 2005, and (B) the amount of General Fund moneys actually appropriated to school districts and community college districts for that fiscal year.

~~(h) (1) Subparagraph (B) of paragraph (3) of subdivision (b) may be suspended for one year only when made part of or included within any bill enacted pursuant to Section 12 of Article IV. All other provisions of subdivision (b) may be suspended for one year by the enactment of an urgency statute pursuant to Section 8 of Article IV, provided that the urgency statute may not be made part of or included within any bill enacted pursuant to Section 12 of Article IV.~~

~~(2) This subdivision is not operative in any fiscal year succeeding the fiscal year in which the measure that added this paragraph became effective.~~

Fifth--That Section 6 of Article XIX thereof is amended to read:

SEC. 6. ~~Nothing in subdivision~~
 Subdivision (h) of Section 12 of Article IV ~~prohibits~~
 does not prohibit the Legislature from authorizing, by statute, loans to local transportation agencies, cities, counties, or cities and counties, from funds that are subject to this article, for the purposes authorized under this article. Any loan authorized as described by this section shall be repaid, with interest at the rate paid on money in the Pooled Money Investment Account, or any successor to that account, during the period of time that the money is loaned, to the fund from which it was borrowed, not later than four years after the date on which the loan was made.

Sixth--That Section 1 of Article XIX A thereof is repealed.

Seventh--That Section 1 of Article XIX B thereof is amended to read:

SECTION 1. (a) For the 2003-04 fiscal year and each fiscal year thereafter, all moneys that are collected during the fiscal year from taxes under the Sales and Use Tax Law (Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code), or any successor to that law, upon the sale, storage, use, or other

consumption in this State of motor vehicle fuel, and that are deposited in the General Fund of the State pursuant to that law, shall be transferred to the Transportation Investment Fund, which is hereby created in the State Treasury. (b) (1) For the 2003-04 to 2007-08 fiscal years, inclusive, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, in accordance with Section 7104 of the Revenue and Taxation Code as that section read on March 6, 2002.

(2) For the 2008-09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated solely for the following purposes:

(A) Public transit and mass transportation.

(B) Transportation capital improvement projects, subject to the laws governing the State Transportation Improvement Program, or any successor to that program.

(C) Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by cities, including a city and county.

(D) Street and highway maintenance, rehabilitation, reconstruction, or storm damage repair conducted by counties, including a city and county.

(c) For the 2008-09 fiscal year and each fiscal year thereafter, moneys in the Transportation Investment Fund shall be allocated, upon appropriation by the Legislature, as follows:

(1) Twenty percent of the moneys for the purposes set forth in subparagraph (A) of paragraph (2) of subdivision (b).

(2) Forty percent of the moneys for the purposes set forth in subparagraph (B) of paragraph (2) of subdivision (b).

(3) Twenty percent of the moneys for the purposes set forth in subparagraph (C) of paragraph (2) of subdivision (b).

(4) Twenty percent of the moneys for the purpose set forth in subparagraph (D) of paragraph (2) of subdivision (b).

(d) (1) The transfer of revenues from the General Fund of the State to the Transportation Investment Fund pursuant to subdivision (a) may be suspended, in whole or in part, for any fiscal year preceding the 2007-08 fiscal year if both of the following conditions are met:

(A) The Governor has issued a proclamation that declares that the transfer of revenues pursuant to subdivision (a) will result in a significant negative fiscal impact on the range of functions of government funded by the General Fund of the State.

(B) The Legislature enacts by statute, pursuant to a bill passed in each house of the Legislature by rollcall vote entered in the journal, two-thirds of the membership concurring, a suspension for that fiscal year of the transfer of revenues pursuant to subdivision (a), provided that the bill does not contain any other unrelated provision.

(2) (A) The total amount, as of July 1, 2007, of revenues that were not transferred from the General Fund of the State to the Transportation Investment Fund because of a suspension pursuant to this subdivision shall be repaid to the Transportation Investment Fund no later than June 30, 2022. Until that total amount has been repaid, the amount of that repayment to be made in each fiscal year shall not be less than 1/15 of the total amount due.

(B) ~~The~~ Notwithstanding Article XVI, the Legislature may provide by statute for the issuance of bonds by the State or local agencies, as applicable, that are secured by the payments required by this paragraph. Proceeds of the sale of the bonds shall be applied for purposes consistent with this article, and for costs associated with the issuance and sale of the bonds.

(e) The Legislature may enact a statute that modifies the percentage shares set forth in subdivision (c) by a bill passed in each house of the Legislature by rollcall vote entered in the

journal, two-thirds of the membership concurring, provided that the bill does not contain any other unrelated provision and that the moneys described in subdivision (a) are expended solely for the purposes set forth in paragraph (2) of subdivision (b).

Eighth--That the provisions of this measure are severable. If any provision of this measure or its application is held unconstitutional or otherwise invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application. Title - Line 1. Digest - Pages 2 & 6. Text - Pages 9, 15, & 19.